

000547

D. - FOR OFFICIAL USE ONLY

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----

Part 261.31 for each listed hazardous waste from

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----

Part 261.32 for each listed hazardous waste from

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----

Part 261.33 for each chemical sub-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----

Part 261.34 for each hazardous waste from hospitals, veterinary

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----

Part 261.35 for each hazardous waste from the characteristics of non-listed

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----

☐ 4. TOXIC (D000)

Information submitted in this and all other reports is true and correct to the best of the submitter's knowledge and belief. False or misleading information submitted in this and all other reports is prohibited. Penalties for submitting false or misleading information are significant.

DATE SIGNED: 8/1/81

TX982813453
RC NT VOL 01

CITY OF FRISCO
FRISCO

478A.TX982813453 0001
CITY OF FRISCO
FRISCO, TX 75034



000000018293 HZ/RC/NT

478A.TX982813453 0001

T 4 5 3

000548

THIS FILE
HAS BEEN
RECONSTRUCTED
FROM THE
RCRIS
DATA SYSTEM

RCRA INFORMATION MGMT
03/18/94

THIS FILE
HAS BEEN
RECONSTRUCTED
FROM THE
RCRIS
DATA SYSTEM

RCRA INFORMATION MGMT
03/18/94

PROGRAM ID:
HIRPD002

REGION 6 IMPLEMENTER
* * * RCRIS V.5.0.1 * * *
TEXAS
HID DUMP REPORT -- HANDLER 2 FILE
CONTACT SEGMENT

PAGE: 1
DATE: 03/17/94

HANDLER ID: TXT982813453 NAME: FRISCO, CITY OF
LOCATION CITY: FRISCO COUNTY: COLLIN

----- U N I V E R S E S -----
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

CONTACT TYPE: A

ADDRESS TYPE: M

FIRST NAME: PUREFOY
TITLE:
STREET1: P O BOX 177
CITY: FRISCO

LAST NAME: GEORGE
PHONE:
STREET2:
STATE: TX ZIP: 75034

CONTACT SEGMENT

CONTACT TYPE: N

ADDRESS TYPE: M

FIRST NAME: PUREFOY
TITLE:
STREET1: P O BOX 177
CITY: FRISCO

LAST NAME: GEORGE
PHONE:
STREET2:
STATE: TX ZIP: 75034

OWNER/OPERATOR SEGMENT

SEQUENCE NO: 1

INDICATOR: CO
NAME: UNKNOWN
PHONE: 0000000000
STREET1: UNKNOWN
CITY: UNKNOWN

OWNER TYPE: O

CHANGE DATE:

STATE: TX

ZIP: 000000000

SIC CODE SEGMENT

SEQ NO	PRIMARY IND	SIC CODE	SOURCE
0		0000	

OTHER PERMITS SEGMENT

PERMIT NUMBER	PERMIT TYPE	PERMIT DESCRIPTION
-----	-----	-----

PROGRAM ID:
HIRPD006

REGION 6 IMPLEMENTER
* * * RCRIS V.5.0.1 * * *
TEXAS

PAGE: 1
DATE: 03/17/94

HID DUMP REPORT -- HANDLER 2 FILE
SOURCE/RECEIPT DATE/COMMENTS/ACTIVITY SEGMENTS

HANDLER ID: TXT982813453 NAME: FRISCO, CITY OF
LOCATION CITY: FRISCO COUNTY: COLLIN

===== U N I V E R S E S =====
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

SOURCE: E

RECEIPT DATE: SEQ NO: COMMENTS:

-----ACTIVITY INDICATORS-----
GEN TRANS TSD BBL UIC RECY HWF MRKT OTHER HWF
TO BURNER MARKTER BURNER

1
MRKT TO UOF SPEC
BURNER BURNER USED OIL UTILITY INDUST INDUST
MARKETER BOILER BOILER FURNACE

-----RCRA REG STATUS-----
GEN TRANS TSD BBL GEN TRANS TSD BBL

R
-----STATE REG STATUS-----
GEN TRANS TSD BBL GENERATOR TRANSPORTER

TSD BURNER/BLENDER

-----TRANSPORTATION METHOD-----
AIR RAIL HIGHWAY WATER OTHER

----- Used Oil Recycler Notification data -----
Indicator RCRA Status State Reg Reg Descrip Transporter Coll

PROGRAM ID:
HIRPD006

REGION 6 IMPLEMENTER
* * * RCRIS V.5.0.1 * * *
TEXAS

PAGE: 1
DATE: 03/17/94

HID DUMP REPORT -- HANDLER 2 FILE
SOURCE/RECEIPT DATE/COMMENTS/ACTIVITY SEGMENTS

HANDLER ID: TXT982813453 NAME: FRISCO, CITY OF
LOCATION CITY: FRISCO COUNTY: COLLIN

===== U N I V E R S E S =====
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

SOURCE: S

RECEIPT DATE: SEQ NO: COMMENTS:
890729

-----ACTIVITY INDICATORS-----
GEN TRANS TSD BBL UIC RECY HWF MRKT OTHER HWF
TO BURNER MARKTER BURNER
X

MRKT TO UOF SPEC
BURNER BURNER USED OIL UTILITY INDUST INDUST
MARKETER BOILER BOILER FURNACE

-----RCRA REG STATUS----- -----RCRA REG STATUS DESC-----
GEN TRANS TSD BBL GEN TRANS TSD BBL

R
-----STATE REG STATUS----- -----STATE REG STATUS DESC-----
GEN TRANS TSD BBL GENERATOR TRANSPORTER

TSD BURNER/BLENDER

-----TRANSPORTATION METHOD-----
AIR RAIL HIGHWAY WATER OTHER

---- Used Oil Recycler Notification data -----
Indicator RCRA Status State Reg Reg Descrip Transporter Coll

PROGRAM ID:
HIRPD007

REGION 6 IMPLEMENTER
* * * RCRIS V.5.0.1 * * *
TEXAS
HID DUMP REPORT -- HANDLER 2 FILE
WASTE SEGMENTS

PAGE:
DATE:03/17/94

HANDLER ID: NAME:
LOCATION CITY:

COUNTY:

===== U N I V E R S E S =====
Trans: LQG: SQG: CESQG: Land: Incin: Stor/Trt:

Source of Information:

Waste Strng	Date	Desc	Amt	UOM	Amt in Tons
----	----	----	---	---	-----

Waste Char Desc	Waste Char Amt	Waste Char UOM
-----------------	----------------	----------------

PROCESS SEGMENTS

Source of Information: E

Process Code: S04 Process Seq: 1 Commercial Availability:

Amt Typ	Status	UOM	Process Amt	No. Units	Date
-----	-----	---	-----	-----	----
IR	R	G	15.000		

Unit	Type	#Units	Waste Capacity	UOM	Reg Status
----	----	-----	-----	---	-----

PROCESS SEGMENTS

Source of Information: S

Process Code: S04 Process Seq: 1 Commercial Availability:

Amt Typ	Status	UOM	Process Amt	No. Units	Date
-----	-----	---	-----	-----	----
IR	R	G	15.000		

Unit	Type	#Units	Waste Capacity	UOM	Reg Status
----	----	-----	-----	---	-----

PROGRAM ID:
PCRP0001-1

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 1
DATE:03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; Permit Processing Segment

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

===== U N I V E R S E S =====
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Seq No	Permit Proc. No	Perm Auth	Resp. Person EPA State	Resp. Attorney EPA State
-----	-----	-----	-----	-----
1	APP01	J	TX TX	TX TX
2	APP03	J	TX TX	TX TX

PROGRAM ID:
PCRP0001-2

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 1
DATE:03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; Event and Unit Group Segment

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

===== U N I V E R S E S =====
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 1
Permit Processing Number: APP01

----- EVENT Segment -----
Event Code: CL310
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453001CL310S01
Event Responsible Person:
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 07/29/89
Event Status Code:
Event Comments:

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453001S0301

----- EVENT Segment -----
Event Code: CL310
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL310S01
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 07/29/89
Event Status Code:
Event Comments:
SLUDGE DRYING BED

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCRP0001-2

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 2
DATE:03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; Event and Unit Group Segment

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

----- U N I V E R S E S -----
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 2
Permit Processing Number: APP03

----- EVENT Segment -----

Event Code: CL320
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL320S01
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 08/22/90
Event Status Code:
Event Comments:

----- PUNIT Segment -----

Permit Unit Group ID: TXT982813453002S0402

----- EVENT Segment -----

Event Code: CL320
Event Responsible Agency: S
Event Sequence Number: 2
Event Key: TXT982813453002CL320S02
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 04/10/91
Event Status Code:
Event Comments:

----- PUNIT Segment -----

Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCRP0001-2

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 2
DATE:03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; Event and Unit Group Segment

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

----- U N I V E R S E S -----
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 2
Permit Processing Number: APP03

----- EVENT Segment -----
Event Code: CL320
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL320S01
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 08/22/90
Event Status Code:
Event Comments:

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

----- EVENT Segment -----
Event Code: CL320
Event Responsible Agency: S
Event Sequence Number: 2
Event Key: TXT982813453002CL320S02
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 04/10/91
Event Status Code:
Event Comments:

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCRP0001-2

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 4
DATE:03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; Event and Unit Group Segment

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

----- U N I V E R S E S -----
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 2
Permit Processing Number: APP03

----- EVENT Segment -----
Event Code: CL370
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL370S01
Event Responsible Person: TXLEC
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 11/30/93
Event Status Code: YE
Event Comments:

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

----- EVENT Segment -----
Event Code: CL380
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL380S01
Event Responsible Person: TXLEC
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 12/15/93
Event Status Code: CA
Event Comments:

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCRP0001-3

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 1
DATE:03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; All Permit Event Segments

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

----- U N I V E R S E S -----

Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 1
Permit Processing Number: APP01

----- EVENT Segment -----

Event Code: CL310
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453001CL310S01
Event Responsible Person:
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 07/29/89
Event Status Code:
Event Comments:

----- PM COST Information -----

Act	Event						Event
Est	Fund	Hours	Hours	Cost	Cost	Cost	Accounting
Flag	Source	1	2	1	2	3	Code
-----	-----	-----	-----	-----	-----	-----	-----

----- PM/FMP EVENT Segment -----

Event	Ev Apprv	Initial
Approved	Date	Approved
Date	Count	Date
-----	-----	-----

0

----- PUNIT Segment -----

Permit Unit Group ID: TXT982813453001S0301

PROGRAM ID:
PCRPO001-3

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 2
DATE: 03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; All Permit Event Segments

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

===== U N I V E R S E S =====
Trans: LOG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 2
Permit Processing Number: APP03

----- EVENT Segment -----
Event Code: CL310
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL310S01
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 07/29/89
Event Status Code:
Event Comments:
SLUDGE DRYING BED

----- PM COST Information -----
Act Event
Est Fund Hours Hours Cost Cost Cost Event
Flag Source 1 2 1 2 3 Accounting
Code

----- PM/FMP EVENT Segment -----
Event Ev Apprv Initial
Approved Date Approved
Date Count Date

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCRP0001-3

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 3
DATE:03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; All Permit Event Segments

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

----- U N I V E R S E S -----
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 2
Permit Processing Number: APP03

----- EVENT Segment -----
Event Code: CL320
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL320S01
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 08/22/90
Event Status Code:
Event Comments:

----- PM COST Information -----
Act Event
Est Fund Hours Hours Cost Cost Cost Event
Flag Source 1 2 1 2 3 Accounting
----- Code -----

----- PM/FMP EVENT Segment -----
Event Ev Apprv Initial
Approved Date Approved
Date Count Date

0

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCRP0001-3

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 4
DATE: 03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; All Permit Event Segments

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

----- U N I V E R S E S -----
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 2
Permit Processing Number: APP03

----- EVENT Segment -----
Event Code: CL320
Event Responsible Agency: S
Event Sequence Number: 2
Event Key: TXT982813453002CL320S02
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 04/10/91
Event Status Code:
Event Comments:

----- PM COST Information -----
Act Event
Est Fund Hours Hours Cost Cost Cost Event
Flag Source 1 2 1 2 3 Accounting
----- Code -----

----- PM/FMP EVENT Segment -----
Event Ev Apprv Initial
Approved Date Approved
Date Count Date

0

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCRP0001-3

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 5
DATE: 03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; All Permit Event Segments

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

----- U N I V E R S E S -----
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 2
Permit Processing Number: APP03

----- EVENT Segment -----
Event Code: CL340
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL340S01
Event Responsible Person: TXLEL
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 12/31/90
Event Status Code:
Event Comments:
PUBLIC NOTICE LETTER SENT TODAY.

----- PM COST Information -----
Act Event
Est Fund Hours Hours Cost Cost Cost Event
Flag Source 1 2 1 2 3 Accounting
----- Code -----

----- PM/FMP EVENT Segment -----
Event Ev Apprv Initial
Approved Date Approved
Date Count Date

0

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCR0001-3

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 6
DATE: 03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; All Permit Event Segments

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

===== U N I V E R S E S =====
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 2
Permit Processing Number: APP03

----- EVENT Segment -----
Event Code: CL360
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL360S01
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 07/07/92
Event Status Code: MO
Event Comments:

----- PM COST Information -----
Act Event Hours Hours Cost Cost Cost Event
Est Fund 1 2 1 2 3 Accounting
Flag Source Code

----- PM/FMP EVENT Segment -----
Event Ev Apprv Initial
Approved Date Approved
Date Count Date

0

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCRP0001-3

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 6
DATE:03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PEVENT File Data; All Permit Event Segments

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

----- U N I V E R S E S -----
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Sequence Number : 2
Permit Processing Number: APP03

----- EVENT Segment -----
Event Code: CL360
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL360S01
Event Responsible Person: TX
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 07/07/92
Event Status Code: MO
Event Comments:

----- PM COST Information -----
Act Event
Est Fund Hours Hours Cost Cost Cost Event
Flag Source 1 2 1 2 3 Accounting
----- Code -----

----- PM/FMP EVENT Segment -----
Event Ev Apprv Initial
Approved Date Approved
Date Count Date

0

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PAGE: 8
DATE: 03/17/94

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

Permit Sequence Number : 2
Permit Processing Number: APP03

```
----- EVENT Segment -----
Event Code: CL380
Event Responsible Agency: S
Event Sequence Number: 1
Event Key: TXT982813453002CL380S01
Event Responsible Person: TXLEC
Original Plan Date of Evnt:
Schedule Date of Event:
Actual Date of Event: 12/15/93
Event Status Code: CA
Event Comments:
```

PM COST Information							
Act Est Flag	Event Fund Source	Hours 1	Hours 2	Cost 1	Cost 2	Cost 3	Event Accounting Code

Event	Ev	Apprv	PM/FMP	EVENT	Segment
Approved	Date	Count		Initial	Approved
Date				Date	
	0				

----- PUNIT Segment -----
Permit Unit Group ID: TXT982813453002S0402

PROGRAM ID:
PCRP0001-4

REGION 6 IMPLEMENTER
* * * R C R I S V.5.0.1 * * *
TEXAS

PAGE: 1
DATE: 03/17/94

PC.9 Permitting/Closure/Post-Closure Data Dump
PUNIT File Data

Handler ID: TXT982813453 Name: FRISCO, CITY OF
Location City: FRISCO County: COLLIN

----- U N I V E R S E S -----
Trans: LQG: SQG: CESQG: Land: X Incin: Stor/Trt:

Permit Unit Group Identifier: TXT982813453001S0301

Sequence: 001 Process: S03 Unit Id: 01
Current Activity Track: CL Process Design Capacity: 1.000
Proc. Des.Cap. Unit Measure: Y No. of Units W/In Unit Group:
Comment:

Permit Unit Group Identifier: TXT982813453002S0402

Sequence: 002 Process: S04 Unit Id: 02
Current Activity Track: CL Process Design Capacity: 15.000
Proc. Des.Cap. Unit Measure: G No. of Units W/In Unit Group:
Comment:

478A.TX1982813453 0002
CITY OF FRISCO
FRISCO, TX 75034



0000104486 HZ/RC/NT

478A.TX1982813453 0002

478A.TX1982813453 0002

CITY OF FRISCO
FRISCO, TX 75034



0000104486 HZ/RC/NT

478A.TX1982813453 0002



6891 Main St. • P.O. Drawer 1100 • Frisco, Texas 75034 • 214/377-2161

June 10, 1993

Director, Hazardous Waste Management Division
EPA Region 6
Mail Code 6H
1445 Ross Avenue
Dallas, TX 75202

RE: NPDES Permit No. TX0027715 - Stewart Creek WWTP

Dear Sir/Madam,

The purpose of this letter is to notify you in accordance with Section A.2.d. of the above referenced permit that a container of sewage sludge at the City of Frisco's Stewart Creek WWTP has failed the Toxicity Characteristic Leaching Procedure (TCLP) test for cadmium. Copies of the original test and the verification test are attached. This is the first incident of this nature since the City began operation of the sludge drying press.

The above referenced permit requires quarterly testing of the sewage sludge at the Stewart Creek WWTP. However, it has been the City's practice to test each container of sludge before it is sent offsite for disposal. Since each container of sewage sludge at the Stewart Creek WWTP is tested before disposal, there has been no improper disposal of the sewage sludge which failed the TCLP. That sludge will be handled according to RCRA standards for the disposal of hazardous waste. The City will notify you when disposal is complete regarding actual disposal procedures followed.

The City is also initiating an investigation of this incident in accordance with the procedures specific in the City's EPA approved Industrial Pretreatment Ordinance.

If you have any questions regarding this incident, please do not hesitate to call me at (214) 335-5551.

Sincerely yours,

George Purefoy
City Manager

GP/je

Attachments

cc: Mr. Dolan McKnight
Mr. Kerry Russell

RECEIVED
EPA REGION 6
JUN 16 1993
MAIL ROOM



NATIONAL
ENVIRONMENTAL
TESTING, INC.

Dallas Division
1548 Valwood Parkway
Suite 118
Carrollton, TX 75006
Tel: (214) 406-8100
Fax: (214) 484-2969

ANALYTICAL REPORT

Gary Hartwell
CITY OF FRISCO
P. O. Box 1100
Frisco, TX 75034

05/04/1993
Job No.: 93.01454


Page: 1

Project Name: COLLECTION DUMPSTER

Date Received: 04/26/1993

198470 GRAB SLURY
Taken: 04/26/1993 13:20

TCLP-Arsenic, ICP	<0.04	mg/L
TCLP-Barium, ICP	0.33	mg/L
TCLP-Cadmium, ICP	14.0	mg/L
TCLP-Chromium, ICP	<0.01	mg/L
TCLP-Lead, ICP	0.99	mg/L
TCLP-Mercury, CVAA	0.0034	mg/L
TCLP-Selenium, ICP	0.10	mg/L
TCLP-Silver, ICP	<0.01	mg/L


David W. Terry
Project Manager
Dallas Division





NATIONAL
ENVIRONMENTAL
TESTING, INC.

Dallas Division
1548 Valwood Parkway
Suite 118
Carrollton, TX 75006
Tel: (214) 406-8100
Fax: (214) 484-2969

ANALYTICAL REPORT

Gary Hartwell
CITY OF FRISCO
P. O. Box 1100
Frisco, TX 75034

04/20/1993
Job No.: 93.01204

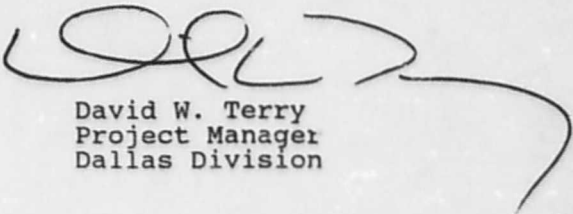
Page: 1

Project Name: Collection Dumpster

Date Received: 04/08/1993

197542 Dumpster Grab Sample
Taken: 04/08/1993

TCLP-Arsenic, ICP	<0.04	mg/L
TCLP-Barium, ICP	0.23	mg/L
TCLP-Cadmium, ICP	5.1 1.0	mg/L
TCLP-Chromium, ICP	<0.01	mg/L
TCLP-Lead, ICP	1.1	mg/L
TCLP-Mercury, CVAA	<0.0002	mg/L
TCLP-Selenium, ICP	0.06	mg/L
TCLP-Silver, ICP	<0.01	mg/L


David W. Terry
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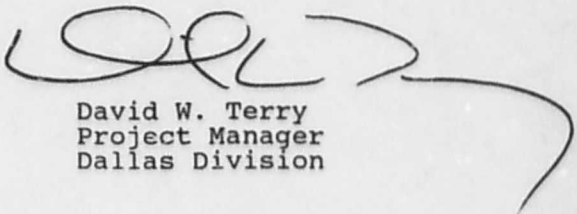
Page: 1

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TCLP-Silver, ICP	<0.01	mg/L


David W. Terry
Project Manager
Dallas Division



Status of the City of Frisco, Texas

NPDES Permit No. TX0027715 - Stewart Creek Plant
TX0027723 - Northwest Plant
TX0103501 - Stewart Creek W. Plant

TX103501 - Stewart Creek W. Plant

This is a new treatment plant which is not completed as of 1/1/92. The facility is a non-discharging major (>1 MGD flow).

TX27723 - Northwest Plant

This is a minor (<1 MGD) plant which is regulated by a 1977 vintage permit. The only sludge language prohibits the discharge of any sludge/solids into waters of the U. S.

TX27715 - Stewart Creek Plant

This facility has recently been upgraded to a major facility (9/91). They were issued a new NPDES permit on 11/6/90; however, the facility filed an evidentiary hearing request on this permit. The effect of that action is to stay the requirements of the new permit pending final decision on the request. The facility is regulated by the 1977 vintage permit which contains the same sludge language as above. Prior to 1991, TWC had taken enforcement action against Frisco for their sludge disposal practices. TWC required monitoring of the Sludge for EP TOX compounds. EPA issued an Order for Information requiring Frisco to submit copies of these sludge reports to the EPA. In 1990, TWC fined Frisco for bypasses and overflows. The same enforcement action cited the city for not having a RCRA permit for the sludge drying beds and required submittal of a closure plan for this equipment. On 2/13/91, TWC again took action against Frisco for sludge violations.

I have attached the following:

- 1977 NPDES permit
- 1990 NPDES permit
- TWC Order dated 12/4/90
- Order for Information VI-88-1756, response and close-out
- Sludge report from Frisco dated 10/28/91
- TWC Order dated 2/13/91

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TWC Order dated 2/13/91

December 23, 1991

FACT SHEET
CITY OF FRISCO, TEXAS
STEWART CREEK WASTEWATER PLANT
TXT982813453

ISSUE: The sludge generated at the subject POTW submitted results for a TCLP test which indicated that the sludge failed as a result of high cadmium concentrations.

CONCERNED GROUPS: RCRA Enforcement, Water Division, City of Frisco, and citizens living near or using the water of Stewart Creek.

DISCUSSION: The POTW has indicated to 6W that no unauthorized disposal has occurred into the plant. This is the first sludge generated by a POTW to fail the TCLP test procedure in Region 6. The POTW has made arrangements to dispose of the sludge with Chemical Waste Management in Carlyss, LA. RCRA has been notified of the TCLP failure and has given the POTW a temporary identification number. The POTW is classified as a "non-notifier" and is in violation of this regulation.

BACKGROUND: The sludge is not a hazardous waste as long as it remains in the unit in which it is generated. It becomes a hazardous waste when it exits the sludge dryer unit. It becomes a RCRA hazardous waste when it fails TCLP. As a RCRA regulated waste, the sludge must be treated and disposed in a RCRA-regulated Subtitle C facility. The sludge failed a TCLP test for cadmium - characteristic waste D006.

RECOMMENDED ACTION: EPA should send a 3007 Request for Information letter to the POTW. Based on the information that is received from the facility, EPA may possibly collect TCLP samples for confirmation of the elevated cadmium concentrations.

KEY CONTACT: Allyn M. Davis, P.E.
Director
Hazardous Waste Management Division (6H)
(214) 655-6700
(FTS) 255-6700

Prepared by:
Bobby G. Williams
5-6794

TEXAS WATER COMMISSION

- 1 - Permit/CD
- 2 - AO & AO matl
- 3 - DMR's
- 4 - Via. Sum. Log
- 5 - NCR
- 6 - Correspondence
- 7 - CRAS
- Date Filed
- Glerk's Inits



MAR - 7 1991

IN THE MATTER OF
THE EXECUTIVE DIRECTOR'S
PRELIMINARY ENFORCEMENT
REPORT CONCERNING THE
CITY OF FRISCO, PERMIT NOS.
10172-01 AND 10172-02

BEFORE THE
TEXAS WATER COMMISSION

AGREED ENFORCEMENT ORDER

On the 13th day of February, 1991, the Texas Water Commission ("Commission") considered the "Notice of Executive Director's Preliminary Enforcement Report and Petition for an Order Assessing Administrative Penalties and Requiring Certain Actions of the City of Frisco." Having heard the evidence and argument of the parties, the Commission hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The City of Frisco ("Frisco") is a municipality which owns two wastewater treatment plants. The Stewart Creek Plant is located approximately 2,500 feet south of Farm to Market 720, and immediately west of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Stewart Creek; thence to Lake Lewisville in Stream Segment No. 0823 of the Trinity River Basin.

The Cottonwood Creek Plant is located approximately 2,500 feet north of Farm to Market Road 720, and immediately east of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Cottonwood Creek; thence to Lake Lewisville in Stream Segment No. 0823 of the Trinity River Basin.

According to the April, 1988 Texas Surface Water Quality Standards, the designated uses of Stream Segment No. 0823 are contact recreation, high quality aquatic habitat, and public water supply.

RECEIVED

FEB 27 1991

6W-PS

TEXAS WATER COMMISSION

- 1 - Permit/CD
- 2 - AO & AO matl
- 3 - DMR's
- 4 - Vio. Sum. Log
- 5 - NCR
- 6 - Correspondence
- 7 - CRAS
- Data Filed
- Glerk's Inits



TX 27715

MAR - 7 1991

IN THE MATTER OF
THE EXECUTIVE DIRECTOR'S
PRELIMINARY ENFORCEMENT
REPORT CONCERNING THE
CITY OF FRISCO, PERMIT NOS.
10172-01 AND 10172-02

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RECEIVED

FEB 27 1991

6W-PS

The maximum amount of stipulated penalties for unauthorized discharges or bypasses shall not exceed \$3,000 for any one calendar month.

3. Effective immediately, and continuing for a period of one year, sewage sludge from the Stewart Creek Treatment Plant shall be analyzed once per month for the metal parameters in accordance with the method specified at 40 Code of Federal Regulations ("CFR") Part 268, Appendix I [Toxicity Characteristic Leaching Procedure (TCLP)] or other TWC approved method. If the analysis shows the sludge to be nonhazardous, then the sludge shall be disposed of in accordance with all applicable rules of the Texas Department of Health and shall comply with the requirements of Permit No. 10172-01. If the analysis shows the sludge to be a hazardous waste, then the sludge shall be disposed of as a Class I hazardous waste. Frisco shall dispose of all Class I hazardous waste at a certified hazardous waste disposal facility within 30 days of receipt of the analyses. All disposal activities shall comply with the applicable shipping and manifesting requirements pursuant to 31 TAC §335.10. Frisco shall notify the TWC District 4 Office within 5 days from the time Frisco becomes aware of any test results that are determined to be hazardous. Frisco shall submit proof of proper disposal of all Class I hazardous wastes to the TWC District 4 Office within 30 days of final disposal.

The City of Frisco shall not manage sludges evidencing the characteristics of a hazardous waste on-site in waste piles unless or until it has obtained a permit from the TWC authorizing such activities. If hazardous sludges are generated at the Stewart Creek wastewater treatment plant in the future, they shall be managed in accordance with the regulatory requirements set forth in 31 TAC Chapter 335 Subchapters A through C and shall be disposed of at a certified hazardous waste disposal facility within ninety (90) days of generation and the City of Frisco shall submit proof of proper disposal of all hazardous wastes generated in the future to the TWC District 4 office within thirty (30) days of the date of final disposition.

4. On December 31, 1990, Frisco submitted a revised Closure Plan to the TWC Hazardous and Solid Waste Enforcement Section which provides for the closure of the sludge drying beds at the Stewart Creek Wastewater Treatment Plant as hazardous waste management units, if required. This revised Closure Plan is required to meet the requirements set forth in 31 TAC §335.8 and 40 CFR Part 265 Subparts G and K and is required to contain a schedule for implementation of closure activities

liability but has agreed to pay administrative penalties in the amount of \$9,000, with an additional \$2,040 deferred upon compliance with the Commission Order, and has agreed to abide by the Order requiring improved operation and maintenance of the City's sewage collection system and wastewater treatment plants, and to comply with the proposed "Stewart Creek West Plant" construction schedule.

9. Whenever flow measurements at any of the City's sewage treatment facilities reach 75 percent of the permitted average flow for three consecutive months, the City shall initiate engineering and financial planning for expansion and/or upgrading of the wastewater treatment and/or collection facilities. Whenever the average daily flow reaches 90 percent of the permitted average daily flow for three consecutive months, the City shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment facilities. In the case of a wastewater treatment facility which reaches 75 percent of the permitted average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director. If in the judgment of the Executive Director the population to be served or the quantity of waste produced will not cause permit noncompliance, then the requirements of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Water Quality Division, or his or her designee, and such waiver of these requirements will be reviewed upon expiration of the existing permit. However, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.
10. The City shall prepare monthly reports setting forth any violations which are covered by stipulated penalty provisions herein and calculating the stipulated penalties that the City is required to pay for such violations. Monthly reports shall be submitted no later than 30 days following each monthly reporting period to the Enforcement Section of the Commission's Water Quality Division. No report is required if no violations of stipulated penalty provisions occurred during the reporting period. The Enforcement Section shall review the report for the purpose of verifying the violations and penalty computations. If the Enforcement Section disputes any report by the City concerning violations and/or penalty computations, it shall notify the City in writing of this fact and the reasons for refusal to verify the report.

14. The Chief Clerk shall forward copies of this Order to all parties.

ISSUED: FEB 15 1991

TEXAS WATER COMMISSION

B. J. Wynne III
B. J. Wynne III, Chairman

ATTEST:

Gloria A. Vasquez
Gloria A. Vasquez, Chief Clerk



6891 Main St. • P.O. Drawer 1100 • Frisco, Texas 75034 • 214/377-2161

men H.

October 28, 1991

Ms. Bernadine Gordon
Enforcement Branch (6W-E)
U.S.E.P.A., Region 6
1445 Ross Avenue
Dallas, Texas 75201-2735

- ___ 1 - Permit/CD
- ___ 2 - AO & AO matl
- ___ 3 - DWR's
- ___ 4 - Vio. Sum. Log
- ___ 5 - NCR
- ☒ 6 - Correspondence
- ___ 7 - CRAS
- ___ Date Filed
- ___ Clerk's Inits.

Re: Frisco Stewart Creek Wastewater Plant
NPDES Permit No. TX0027715

Dear Ms. Gordon:

In conformance with Part II, SA.2.d. of the Frisco Stewart Creek Plant's NPDES permit, the following Toxicity Characteristic Leaching Procedure (TCLP) tests on the plant's sludge are submitted. To date all sludge from the plant has ben dewatered in four drying beds. The test is performed on an areal composite sample of dried sludge taken from four areas of each windrow in the bed. If the test shows an exceedence of a TCLP limit, it is disposed of in a hazardous waste landfill. All sludge generated from the plant has been tested.

The sludge continues to have periodic exceedence of the TCLP cadmium limit, (five of ten beds) although this last occurred on the July 19, 1991 samples. The monitoring of the three industries in Frisco (GNB, Hutson, and PCI) have not shown high cadmium levels in the industrial effluents so that the source of the cadmium is not well documented. If you have questions or need further information, please don't hesitate to contact Mr. Dolan McKnight, Manager of Research and Development with North Texas us.

Sincerely,

George Purefoy
City Manager

xc: Mr. Carl Riehn, NTMWD

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

JAN 10 1991

November 8, 1990

REPORT OF: Solid Waste Evaluation

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098

SAMPLE FACILITY: Stewart Creek W.W.T.P.
Drying Bed #4

SAMPLE I.D.: Dry Sludge

SAMPLING DATE: October 30, 1990
SAMPLE RECEIVED: November 01, 1990
SAMPLING TIME: 02:00PM
SAMPLING METHOD: Composite
SAMPLE COLLECTED BY: Client (Larry Connelly)

SAMPLE NUMBER: 8665

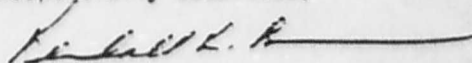
RESULTS:

<u>Parameter</u>	<u>Regulatory Limits</u>	<u>Detection Limits</u>	<u>Observed Concentration</u>
TCLP METALS			
Arsenic mg/l	<5.0	0.002	0.060
Cadmium mg/l	<1.0	0.1	5.0
Lead mg/l	<5.0	1	1.0

Quality Control Information

<u>Parameter</u>	<u>Sample Preservation</u>	<u>EPA Method</u>	<u>GLA</u>	<u>Standard Deviation</u>	<u>Spike Recovery</u>	<u>Date of Analysis</u>	<u>Analyses By</u>
TCLP METALS							
Extraction		911					
Arsenic	Cool to 4°C	706	4.7	± 0.00008	100	11/08/90	M. Badyoczek
Cadmium	Cool to 4°C	7030	0.0	± 0.00	95	11/07/90	M. Badyoczek
Lead	Cool to 4°C	7420	0.0	± 0.00	104	11/08/90	M. Badyoczek

Respectfully submitted,



Kendall K. Brown
Manager

May 3, 1991

Ecological Research and Management Incorporated

P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

REPORT OF: Solid Waste Analysis

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098

SAMPLE LOCATION: Stewart Creek WWTP
0240

SAMPLE DATE: March 20, 1991
SAMPLE TIME: 10:00AM
SAMPLE RECEIVED: March 21, 1991
SAMPLE METHOD: Grab
SAMPLE IDENTIFICATION: Dried Sludge*
SAMPLE COLLECTED BY: Arthur (Client)

SAMPLE NUMBER: 11157

RESULTS:

<u>Parameter</u>	<u>Regulatory Limits</u>	<u>Detection Limits</u>	<u>Observed Concentration</u>
TCLP METALS			
Arsenic mg/l	<5.0	0.04	<0.04(1)
Barium mg/l	<100.0	1.0	<1.0
Cadmium mg/l	<1.0	0.1	4.8
Chromium mg/l	<5.0	0.5	<0.5
Lead mg/l	<5.0	1.0	<1.0
Mercury mg/l	<0.2	0.004	<0.004
Selenium mg/l	<1.0	0.04	0.10
Silver mg/l	<5.0	0.1	<0.1
TCLP VOLATILE ORGANICS			
Benzene mg/l	<0.5	0.003	<0.003
Carbon tetrachloride mg/l	<0.5	0.003	<0.003
Chlorobenzene mg/l	<100.0	0.003	<0.003
Chloroform mg/l	<6.0	0.003	<0.003
1,4-Dichlorobenzene mg/l	<7.0	0.010	<0.010
1,2-Dichloroethane mg/l	<0.5	0.003	<0.003
1,1-Dichloroethylene mg/l	<0.5	0.003	<0.003
Methyl ethyl ketone mg/l	<200.0	0.010	<0.010
Pyridine mg/l	<5.0	0.003	<0.003
Tetrachloroethylene mg/l	<0.7	0.003	<0.003
Trichloroethylene mg/l	<0.5	0.003	<0.003
Vinyl chloride mg/l	<0.2	0.010	<0.010

Ms. Laura Skaggs
Page 2
May 3, 1991

SAMPLE NUMBER: 11157

Parameter	Regulatory Limits	Detection Limits	Observed Concentration
TCLP SEMIVOLATILE ORGANICS			
O-Cresol, mg/l	<200.0	0.010	<0.010
M-Cresol, mg/l	<200.0	0.010	<0.010
P-Cresol, mg/l	<200.0	0.010	<0.010
Cresol, mg/l	<200.0	0.010	<0.010
2,4-Dinitrotoluene, mg/l	<0.13	0.010	<0.010
Hexachlorobenzene, mg/l	<0.13	0.010	<0.010
Hexachlorobutadiene, mg/l	<0.5	0.010	<0.010
Hexachloroethane, mg/l	<3.0	0.010	<0.010
Nitrobenzene, mg/l	<2.0	0.010	<0.010
Pentachlorophenol, mg/l	<100.0	0.010	<0.010
2,4,5-Trichlorophenol, mg/l	<400.0	0.010	<0.010
2,4,6-Trichlorophenol, mg/l	<2.0	0.010	<0.010

TCLP PESTICIDES & HERBICIDES			
Chlordane, mg/l	<0.03	0.0005	<0.0005
Endrin, mg/l	<0.02	0.0001	<0.0001
Heptachlor, mg/l	<0.005	0.0005	<0.0005
Heptachlor epoxide, mg/l	<0.005	0.0005	<0.0005
Lindane, mg/l	<0.4	0.0005	<0.0005
Methoxychlor, mg/l	<10.0	0.010	<0.010
Toxaphene, mg/l	<0.5	0.001	<0.001
2,4-D, mg/l	<10.0	0.010	<0.010
2,4,5-T, mg/l	<10.0	0.010	<0.010

Quality Control Information

Parameter	Sample Presentation	EP: 1 Method	EP: 2 Limit	Standard Deviation	Lo. & Recovery	Date of Analysis	Anal. used
TCLP METALS							
Asbestos	100 to 490	131					
Barium	100 to 490	706	0.0	0.00	104	03/30/91	R. Brown
Cadmium	100 to 490	705	0.0	0.00	106	04/02/91	R. Weich
Chromium	100 to 490	710	0.0	0.00	98	04/02/91	R. Weich
Copper	100 to 490	719	0.0	0.00	105	04/02/91	R. Weich
Mercury	100 to 490	742	0.0	0.00	101	04/02/91	R. Weich
Selenium	100 to 490	747	0.0	0.00	97	04/04/91	J. Smith
Zinc	100 to 490	774	15.9	0.016	103	04/02/91	R. Brown
		776	0.0	0.00	99	04/02/91	R. Weich

SAMPLE NUMBER: 11157

Quality Control Information


<u>Parameter</u>	<u>Sample Preservation</u>	<u>EPA (2)</u> <u>Method</u> <u>C.V.%</u>	<u>Standard</u> <u>Deviation</u>	<u>Spike</u> <u>Recovery%</u>	<u>Date of</u> <u>Analyses</u>	<u>Analyses</u> <u>By</u>
VOLATILE ORGANICS	Cool to 4°C	8260			04/04/91	J. Lynch
Chlorobenzene-c6				95		
				97		
1,4-Difluorobenzene				96		
				96		
SEMIVOLATILES	Cool to 4°C	8210			04/17/91	J. Lynch
Napthalene-c6				92		
				95		
Terphenyl-c14				94		
				96		
PESTICIDES	Cool to 4°C	8081			04/30/91	J. Lynch
Mirex				93		
				94		
HERBICIDES	Cool to 4°C	8150A			05/02/91	J. Lynch
Mirex				96		
				93		

* This sample of Dried Sludge is considered hazardous because of higher than allowable concentrations of Cadmium.

1 < = Less Than Detection Limit

2 EPA, 1986. Test Methods for Evaluating Solid waste. SW-846, 3rd Edition.

Respectfully submitted


Kenneth K. Brown
Manager

KCS

Ecological Research and Management Incorporated

P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

April 3, 1991

APR 4 1991

REPORT OF: Industrial Waste Analysis

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098

SAMPLE FACILITY: Stewart Creek WWTP-Final Effluent
Bec #1 - 0250

SAMPLING DATE: March 22, 1991
SAMPLING TIME: 10:20AM
SAMPLE RECEIVED: March 22, 1991
SAMPLING METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)

SAMPLE NUMBER: 11180

RESULTS:

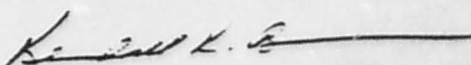
Waste Name	TCLP Arsenic (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)
Dried Sludge *	0.04	0.8	<0.5	<1.0
Detection Limit	0.04	0.1	0.5	1.0

* Sample composited immediately prior to analysis.

Quality Control Information

Parameter	Sample Preservation	EPA Method	Lot #	Standard Deviation	Spike Recovery	Date of Analysis	Analyses By
TCLE METALS							
Extraction		1311					
Arsenic	DOC to 400	7061	0.0	= 0.00	104	03/30/91	K. Brown
Cadmium	DOC to 400	7130	0.0	= 0.00	98	04/02/91	F. Weich
Chromium	DOC to 400	7190	0.0	= 0.00	105	04/02/91	F. Weich
Lead	DOC to 400	7420	0.0	= 0.00	101	04/02/91	F. Weich

Respectfully submitted,

Kendall K. Brown
Manager

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

May 6, 1991

REPORT OF: Industrial Waste Analysis

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer 2408
Wylie, Texas 75098

SAMPLE FACILITY: Stewart Creek WWT

SAMPLING DATE: April 23, 1991
SAMPLING TIME: 01:30PM
SAMPLE RECEIVED: April 23, 1991
SAMPLING METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)

SAMPLE NUMBER: 11989

RESULTS:

Waste Name	TCLP Arsenic (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)
Dried Sludge *	0.06	0.33	<0.5	<1.0
Detection Limit	0.04	0.1	0.5	1.0

* Sample composted immediately prior to analysis

Quality Control Information

Parameter	Sample Preservation	EPA Method	QA/QC	Standard Deviation	Spike Recovery	Date of Analysis	Analyses By
TCLP METALS							
Extraction		9051					
Arsenic	000 to 400	7061	0.0	± 0.00	90	05/02/91	K. Ponder
Cadmium	000 to 400	7130	0.0	± 0.00	101	05/02/91	F. Welch
Chromium	000 to 400	7190	0.0	± 0.00	95	05/01/91	K. Ponder
Lead	000 to 400	7420	0.0	± 0.00	92	05/02/91	F. Welch

Respectfully submitted,

[Signature]
Kendra L. [unclear]
Manager

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

May 6, 1991

REPORT OF: Industrial Waste Analysis

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer 2408
Wylie, Texas 75098

SAMPLE FACILITY: Stewart Creek WWTP

SAMPLING DATE: April 23, 1991
SAMPLING TIME: 01:30PM
SAMPLE RECEIVED: April 23, 1991
SAMPLING METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)

SAMPLE NUMBER: 11989

RESULTS:

Waste Name	TCLP Arsenic (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)
Dried Sludge *	0.08	0.33	<0.5	<1.0
Detection Limit	0.04	0.1	0.5	1.0

* Sample collected immediately prior to analysis

Quality Control Information

Parameter	Sample Preservation	EPA Method	CV, %	Standard Deviation	Spike Recovery	Date of Analysis	Analyst
TCLP METALS							
Extraction		901					
Arsenic	Cool to 4°C	7061	0.0	± 0.00	90	05/02/91	K. Ponder
Cadmium	Cool to 4°C	7130	0.0	± 0.00	101	05/02/91	F. Welch
Chromium	Cool to 4°C	7190	0.0	± 0.00	95	05/01/91	K. Ponder
Lead	Cool to 4°C	7420	0.0	± 0.00	92	05/02/91	F. Welch

Respectfully submitted,

[Signature]
Kendra L. [Signature]
Manager

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123



July 2, 1991

REPORT OF: Sludge Analysis

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098

SAMPLE LOCATION: Stewart Creek WWTP
Drying Bed #4

SAMPLE DATE: June 19, 1991
SAMPLE TIME: 10:00AM
SAMPLE RECEIVED: June 20, 1991
SAMPLE METHOD: Grab
SAMPLE COLLECTED BY: Tracy Connelly (Client)

SAMPLE NUMBER: 12993

RESULTS:

<u>Parameter</u>	<u>Regulatory Limits</u>	<u>Detection Limits</u>	<u>Observed Concentration</u>
TCLP METALS			
Cadmium, mg/l	<1.0	0.1	0.57
Chromium, mg/l	<5.0	0.5	<0.5
Lead, mg/l	<5.0	1.0	<1.0

Quality Control Information

<u>Parameter</u>	<u>Sample Preservation</u>	<u>EPA Method</u>	<u>Standard Deviation</u>	<u>Spike Recovery</u>	<u>Date of Analysis</u>	<u>Analyses by</u>
TCLP METALS						
Cadmium	100 to 400	701	0.0 ± 0.01	98	06/25/91	W. J. Jones
Chromium	100 to 400	701	0.0 ± 0.01	97	06/25/91	W. J. Jones
Lead	100 to 400	701	0.0 ± 0.01	109	06/26/91	W. J. Jones

1. EPA, 1986. Test Methods for Evaluating Solid Waste. SW-846, 3rd Edition.

Respectfully submitted,

Kendra L. Brown
Manager

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

August 1, 1991

REPORT OF: Dried Sludge Analysis
REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098
SAMPLE LOCATION: Stewart Creek WWT
SAMPLE I.D.: See Below
SAMPLE DATE: July 19, 1991
SAMPLE TIME: 08:00AM
SAMPLE RECEIVED: July 19, 1991
SAMPLE METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)
SAMPLE NUMBER: See Below

AUG 02 1991

RESULTS:

Sample Number	Sample I.D.	TCLP Arsenic (mg/l)	TCLP Barium (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)	TCLP Mercury (mg/l)	TCLP Selenium (mg/l)	TCLP Silver (mg/l)
13711	Drying Bed #1	0.06	2.6	5.1	<0.5	<1.0	0.006	0.20	<0.1
13712	Drying Bed #2	0.06	1.7	6.2	<0.5	<1.0	<0.004	0.17	<0.1
13713	Drying Bed #3	<0.04	2.6	0.85	<0.5	<1.0	0.015	0.23	0.24
Detection Limits		0.04	1.0	0.1	0.5	1.0	0.004	0.04	0.1

Quality Control Information

Parameter	Sample Preservation	EPA Method	CV%	Standard Deviation	Spike Recovery	Date of Analysis	Analyst
Sample Number	13711 & 13712						
TCLP METALS							
Extraction		1301					
Arsenic	Cool to 40C	7061	3.6	± 0.002	106	07/22/91	K. Ponder
Barium	Cool to 40C	7081	0.0	± 0.00	95	07/25/91	K. Ponder
Cadmium	Cool to 40C	7130	0.0	± 0.00	91	07/25/91	R. Weir
Chromium	Cool to 40C	7190	0.0	± 0.00	94	07/25/91	K. Ponder
Lead	Cool to 40C	7420	0.0	± 0.00	106	07/25/91	R. Weir
Mercury	Cool to 40C	7471	0.0	± 0.00	95	07/26/91	J. Smith
Selenium	Cool to 40C	7741	3.6	± 0.007	101	07/22/91	K. Ponder
Silver	Cool to 40C	7760	0.0	± 0.00	90	07/24/91	K. Ponder

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

August 1, 1991

REPORT OF: Dried Sludge Analysis
REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098

AUG 02 1991

SAMPLE LOCATION: Stewart Creek WWTP
SAMPLE I.D.: See Below
SAMPLE DATE: July 19, 1991
SAMPLE TIME: 08:00AM
SAMPLE RECEIVED: July 19, 1991
SAMPLE METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)
SAMPLE NUMBER: See Below

RESULTS:

Sample Number	Sample I.D.	TCLP Arsenic (mg/l)	TCLP Barium (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)	TCLP Mercury (mg/l)	TCLP Selenium (mg/l)	TCLP Silver (mg/l)
13711	Drying Bed #1	0.06	2.6	5.1	<0.5	<1.0	0.006	0.20	<0.1
13712	Drying Bed #2	0.06	1.7	6.2	<0.5	<1.0	<0.004	0.17	<0.1
13713	Drying Bed #3	<0.04	2.6	0.88	<0.5	<1.0	0.015	0.23	0.24
Detection Limits		0.04	1.0	0.1	0.5	1.0	0.004	0.04	0.1

Quality Control Information

Parameter	Sample Preservation	EPA Method	Standard Deviation	Spike Recovery	Date of Analysis	Analyst
Sample Number	13711 & 13712					
TCLP METALS						
Extraction		1311				
Arsenic	Cool to 40C	7061	3.6 ± 0.002	106	07/22/91	K. Ponder
Barium	Cool to 40C	7081	0.0 ± 0.00	95	07/25/91	K. Ponder
Cadmium	Cool to 40C	7130	0.0 ± 0.00	91	07/25/91	R. Meier
Chromium	Cool to 40C	7190	0.0 ± 0.00	94	07/25/91	K. Ponder
Lead	Cool to 40C	7420	0.0 ± 0.00	106	07/25/91	R. Meier
Mercury	Cool to 40C	7471	0.0 ± 0.00	95	07/26/91	J. Smith
Selenium	Cool to 40C	7741	3.6 ± 0.007	101	07/22/91	K. Ponder
Silver	Cool to 40C	7750	0.0 ± 0.00	91	07/24/91	K. Ponder

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

OCT 9 1991



October 7, 1991

REPORT OF: Dried Sludge Analysis
REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098
SAMPLE LOCATION: Stewart Creek WWTP
SAMPLE DATE: September 25, 1991
SAMPLE TIME: 02:00PM
SAMPLE RECEIVED: September 25, 1991
SAMPLE METHOD: Grav
SAMPLE COLLECTED BY: Arthur Kramer (Client)
SAMPLE NUMBER: See Below

RESULTS:

Sample Number	Sample I.D.	TCLF Arsenic (mg/l)	TCLF Barium (mg/l)	TCLF Cadmium (mg/l)	TCLF Chromium (mg/l)	TCLF Lead (mg/l)	TCLF Mercury (mg/l)	TCLF Selenium (mg/l)	TCLF Silver (mg/l)
15347	Drying Bed #2	<0.04	5.0	<0.1	<0.5	<1.0	<0.004	0.10	<0.1
	Detection Limits	0.04	1.0	0.1	0.5	1.0	0.004	0.04	0.1

Quality Control Information

Parameter	Sample Preservation	EPA Method	Standard Deviation	Spike Recovery	Date of Analysis	Analyst
TCLF METALS						
Extraction		131				
Arsenic	Cool to 4°C	708	± 0.00	108	10/01/91	K. Fonger
Barium	Cool to 4°C	708	± 0.00	95	10/01/91	K. Fonger
Cadmium	Cool to 4°C	708	± 0.00	90	10/01/91	K. Fonger
Chromium	Cool to 4°C	708	± 0.00	90	10/01/91	K. Fonger
Lead	Cool to 4°C	742	± 0.00	94	10/01/91	K. Fonger
Mercury	Cool to 4°C	742	± 0.00	100	10/01/91	J. Smith
Selenium	Cool to 4°C	774	± 0.00	94	10/01/91	K. Fonger
Silver	Cool to 4°C	776	± 0.00	91	10/01/91	K. Fonger

(1) EPA, 1986. Test Methods for Evaluating Solid Waste. SW-846, 3rd Edition.

Respectfully submitted,

Arthur Kramer

Arthur Kramer
Manager

KKE 14

200 & Southern - Suite - - Fax (214) 727-1175

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

October 22, 1991

OCT 22 1991

REPORT OF: Dried Sludge Analysis
REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098
SAMPLE LOCATION: Stewart Creek WWT
Bed #4 032D
SAMPLE DATE: October 08, 1991
SAMPLE TIME: 02:30
SAMPLE RECEIVED: October 08, 1991
SAMPLE METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)
SAMPLE NUMBER: See Below

RESULTS:

Sample Number	Sample I.D.	TCLP Arsenic (mg/l)	TCLP Barium (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)	TCLP Mercury (mg/l)	TCLP Selenium (mg/l)	TCLP Silver (mg/l)
15581	Drying Bed #4	<0.04	<1.0	0.2	<0.5	<1.0	<0.004	<0.004	<0.1
Detection Limits		0.04	1.0	0.1	0.5	1.0	0.004	0.04	0.1

Quality Control Information

Parameter	Sample Preservation	EPA (1) Method	C.V.A	Standard Deviation	Spike Recovery	Date of Analyses	Analyses By
TCLP METALS							
Extraction		1311					
Arsenic	Cool to 4°C	7061	8.6	± 0.0035	96	10/17/91	K. Ponder
Barium	Cool to 4°C	7080	0.0	± 0.00	90	10/14/91	K. Ponder
Cadmium	Cool to 4°C	7130	0.0	± 0.00	100	10/13/91	K. Ponder
Chromium	Cool to 4°C	7190	0.0	± 0.00	90	10/13/91	K. Ponder
Lead	Cool to 4°C	7420	0.0	± 0.00	100	10/11/91	K. Ponder
Mercury	Cool to 4°C	7471	0.0	± 0.00	106	10/18/91	J. Smith
Selenium	Cool to 4°C	7741	0.0	± 0.00	103	10/17/91	K. Ponder
Silver	Cool to 4°C	7760	0.0	± 0.00	90	10/11/91	J. Smith

(1) EPA. 1986. Test Methods for Evaluating Solid Waste. SW-846, 3rd Edition.

Respectfully submitted,

Kendall K. Brown
Kendall K. Brown
Manager

KKB/sf

TEXAS WATER COMMISSION

B. J. Wynne, III, Chairman
John E. Birdwell, Commissioner
Cliff Johnson, Commissioner



Allen Beinke, Executive Director
December 4, 1990

John J. Vay, General Counsel
Michael E. Field, Chief Hearings Examiner
Brenda W. Foster, Chief Clerk

RECEIVED

DEC - 6 1990

6W-EA

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

The Honorable Randy Elliott
City of Frisco
P.O. Box 177
Frisco, Texas 75034

Re: City of Frisco, Permit Nos. 10172-01 and 10172-02 - Notice of Report, Petition, and Proposed Order - Violations of Chapter 26 of the Texas Water Code

Dear Mayor Elliott:

In accordance with Section 26.136(e) of the Texas Water Code, §361.252 of the Texas Solid Waste Disposal Act and 31 Texas Administrative Code §337.37, attached please find the "Notice of Executive Director's Preliminary Enforcement Report and Petition for Order Assessing Administrative Penalties and Requiring Certain Actions of the City of Frisco ("Frisco"), the "Executive Director's Preliminary Enforcement Report," and proposed "Enforcement Order." The Report and Petition request the Texas Water Commission ("Commission") to assess a penalty of \$11,040 for violations. The Executive Director is also requesting the Commission to issue an Order requiring Frisco to undertake certain actions as set out in the enclosed Report, Petition and proposed Order.

You have a right to an evidentiary hearing on the occurrence of the violations alleged, the amount of the penalties requested, the allegations in the Petition and provisions of the proposed Order. If you desire to contest any of these matters, you must submit to the Commission a written request for hearing not later than 20 days after receipt of this letter. If you choose to contest any proposed stipulated penalty provision, the Executive Director will not pursue such stipulated penalties before the Commission. However, in the absence of the proposed stipulated penalties, Frisco is subject to fines greater than the amount of the stipulated penalties, up to \$10,000.00 per day, for which the stipulated penalties are recommended. In addition, the Executive Director may choose to pursue penalties concerning prior violations not analyzed herein, or

a greater portion of penalties for violations analyzed herein, should no agreement be reached among the parties in regard to stipulated penalties.

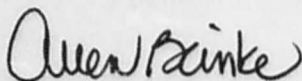
Alternatively, you may give written consent to all or part of the Report, Petition, and proposed Enforcement Order. If you fail to respond within 20 days after receipt of this Notice, you will be deemed to have consented to all of the terms of the proposed Order, including any stipulated penalties for future violations. In such case, or if you file a written consent, the Commission will order a hearing or enter an appropriate enforcement Order.

The Commission will consider these matters on:

Wednesday, January 16, 1991, at 9:00 a.m.
Room 118, Stephen F. Austin State Office Building
1700 North Congress Avenue, Austin, Texas

Please contact Mr. Jim Haley, Director, or Miss Wendall Corrigan, Staff Attorney, of the Commission's Legal Division, at (512) 463-8069 with any questions or requests for consultation.

Sincerely,



Allen P. Beinke
Executive Director

Enclosures

cc: James Graham, U.S. Environmental Protection Agency,
Region VI, 1445 Ross Avenue, Dallas, Texas 75202-2733
TWC District 4 Office, Duncanville
Jim Haley, Director, Legal Division, Texas Water Commission
John Vay, General Counsel, TWC
Clyde E. Bohmfalk, Director, Water Quality Division, TWC
Carol Batterton, Director, Field Operations Division, TWC
Cynthia G. Hayes, Public Interest Counsel, TWC
Ricky Rasberry, Enforcement Coordinator, Water Quality
Division, TWC
Anne Dobbs, Chief, Hazardous & Solid Waste Enforcement Section,
TWC
Michelle McFaddin, Senior Attorney, Legal Division, TWC

EXECUTIVE DIRECTOR'S § BEFORE THE
PRELIMINARY ENFORCEMENT REPORT § TEXAS WATER COMMISSION
CONCERNING THE CITY OF FRISCO; §
PERMIT NOS. 10172-01 AND 10172-02 §

NOTICE OF EXECUTIVE DIRECTOR'S PRELIMINARY
ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING
ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN
ACTIONS OF THE CITY OF FRISCO

TO THE HONORABLE MEMBERS OF THE TEXAS WATER COMMISSION:

COMES NOW, the Executive Director of the Texas Water Commission ("TWC" or "Commission"), by and through a representative of the Legal Division, requesting an Enforcement Order from the Commission assessing administrative penalties for violations of Chapter 26 of the Texas Water Code ("Code") as well as requiring certain actions of the City of Frisco ("Frisco"), as set out below.

In support of these requests, the Executive Director would show the following:

I.

Frisco is a municipality which owns two wastewater treatment plants. The Stewart Creek Plant is located approximately 2,500 feet south of Farm to Market 720, and immediately west of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Stewart Creek; thence to Lake Lewisville in Stream Segment No. 0823 of the Trinity

River Basin.

The Cottonwood Creek Plant is located approximately 2,500 feet north of Farm to Market Road 720, and immediately east of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Cottonwood Creek; thence to Lake Lewisville, which is also in Stream Segment No. 0823 of the Trinity River Basin.

According to the April, 1988 Texas Surface Water Quality Standards, the designated uses of Segment No. 0823 are contact recreation, high quality aquatic habitat and public water supply.

II.

Section 26.121 of the Code prohibits the discharge of wastewater into or adjacent to any waters in the State, except as authorized by rule, permit or order issued by the Commission.

III.

Frisco is authorized to discharge wastewater into or adjacent to waters in the State. Treated wastewater discharged from the Stewart Creek plant must comply with the provisions specified in Permit No. 10172-01, attached hereto as Exhibit A and incorporated herein by reference. Treated wastewater discharged from the Cottonwood Creek plant must comply with the provisions specified in Permit No. 10172-02, attached hereto as Exhibit B and incorporated herein by reference.

IV.

On April 16, 1990, the City of Frisco reported unauthorized discharges of raw sewage (approximately 200,000 gallons at each plant) from the influent structures at the Cottonwood Creek and Stewart Creek Wastewater Treatment Plants. On April 22, 1990, the City of Frisco reported an unauthorized discharge of raw sewage (approximately 240,000 gallons) from the influent structure at the Stewart Creek Wastewater Treatment Plant.

V.

The Stewart Creek wastewater treatment plant accepts influent wastestreams from four major industries which include GNB, Inc., P.C. Dynamics, Hudson Industries and Circuit Fab Corporation. During a March 14 and 15, 1989 TWC inspection of the facility's sludge drying beds, samples of the dewatered sludge generated by the wastewater treatment plant were collected and analyzed for their heavy metal concentrations. The sample results indicated that three of the sludge drying beds were managing sludges exhibiting hazardous levels of cadmium, as defined pursuant to 40 Code of Federal Regulations ("CFR") Part 261.24 and incorporated by reference in 31 TAC §335.1. Two additional sampling events conducted on June 26, 1989 and December 11, 1989 also revealed elevated levels of heavy metals in the sludges generated by the Stewart Creek Plant. These sample results indicate that Frisco's sludge drying beds have managed characteristically hazardous waste and are therefore hazardous waste management units subject to all

applicable hazardous waste requirements. The City of Frisco does not have a permit or other authorization from the TWC to manage hazardous waste in these sludge drying beds.

VI.

Pursuant to §361.302 of the Texas Solid Waste Disposal Act, TEX. HEALTH & SAFETY CODE ANN. Chapter 361 (Vernon Supp. 1990) (the "Act") and 31 TAC §337.1, the Commission has the authority to issue enforcement orders directing compliance with the Act and Commission rules.

Accordingly, the Executive Director requests that the City of Frisco be required to submit a closure plan for the above-described sludge drying beds providing for the closure of these units as hazardous waste management units and to cease storing hazardous waste on-site for periods in excess of ninety (90) days in tanks or containers or disposing of hazardous waste in on-site waste piles until such time as the City of Frisco obtains a permit from the Commission authorizing such activities.

VII.

The Executive Director has considered the above-noted factors and issued a Preliminary Enforcement Report (attached hereto as Exhibit C and incorporated herein by reference), detailing the facts and circumstances surrounding the violations. Based upon the analysis set out therein, the Executive Director has calculated cumulative penalties of \$11,040 for the violation alleged.

VIII.

Section 26.019 of the Code authorizes the Commission to issue orders and make determinations necessary to effectuate the purposes of Chapter 26 of the Code.

Accordingly, the Executive Director requests that Frisco be ordered to take the following action:

1. Pay an administrative penalty in the amount of \$11,040.
2. Comply with the requirements of the technical recommendations described in decretal paragraphs 2 through 10 in the attached Enforcement Order.

IX.

Notice is hereby given to Frisco of the issuance of the Preliminary Report, Petition and proposed Enforcement Order. Frisco has the right to request an evidentiary hearing with regard to the occurrence of the violations, the amount of the penalty, and the terms of the proposed Order. Such request must be in writing and must be filed with the Commission not later than the twentieth (20th) day after the date this notice is received by Frisco. In the event Frisco determines to contest any matter raised in the Executive Director's Preliminary Enforcement Report and/or Petition, Frisco shall specifically admit or deny each fact raised in the Executive Director's Preliminary Enforcement Report, and shall affirmatively allege all defenses, claims or mitigating factors which Frisco intends to raise at an evidentiary hearing, as required under 31 Texas Administrative Code §337.38(c). In the

alternative, Frisco is advised that it may file a written consent to the Executive Director's Report and recommended penalty, Petition and proposed Order.

X.

In the event Frisco fails to timely respond to the notice of Executive Director's Preliminary Enforcement Report and Petition, the Commission, by Order, shall either assess the requested penalty and enter the proposed Order or set a hearing pursuant to Section 26.136(g) of the Code and §361.252 of the Act.

WHEREFORE, PREMISES CONSIDERED, the Executive Director respectfully requests that the Commission approve his Preliminary enforcement Report, assess the penalties recommended therein, and grant such further relief as is appropriate to effectuate the purposes of Chapter 26 of the Code.

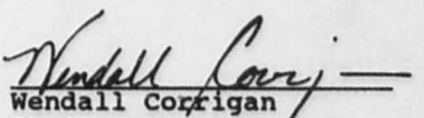
Respectfully submitted,

TEXAS WATER COMMISSION

Allen P. Beinke
Executive Director

Jim Haley
Director
Legal Division

by


Wendall Corrigan
Staff Attorney
Texas Water Commission
P.O. Box 13087
Austin, Texas 78711-3087
(512) 463-8069

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DEC - 6 1990

6W-EA

EXHIBIT A



TEXAS WATER COMMISSION
Stephen F. Austin State Office Building
1700 N. Congress Ave.
Austin, Texas 78711

PERMIT TO DISPOSE OF WASTES
under provisions of Chapter 26
of the Texas Water Code

City of Frisco

whose mailing address is

P. O. Box 177
Frisco, Texas 75034

is authorized to treat and dispose of wastes from the Stewart Creek Wastewater Treatment Facilities

located approximately 2500 feet south of Farm to Market Road 720 and immediately west of the St. Louis - San Francisco Railroad in Collin County, Texas

to Stewart Creek; thence to Lake Lewisville in Segment No. 0823 of the Trinity River Basin

only in accordance with effluent limitations, monitoring requirements and other conditions set forth herein, as well as the rules of the Texas Water Commission ("Commission"), the laws of the State of Texas, and other orders of the Commission. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the herein described discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the herein described discharge route.

This permit and the authorization contained herein shall expire at midnight, five years after the date of Commission approval.

APPROVED, ISSUED AND EFFECTIVE this 14th day of June
19 88.

ATTEST: Karen A. Phillips Paul H. Hapkins
For the Commission

PERMIT NO. 10172-01
(corresponds to
NPDES PERMIT NO. TX0027715)

This is a renewal of Permit No.
10172-01 approved November 7, 1983.

RECEIVED

DEC - 6 1990

6W-EA



TEXAS WATER COMMISSION
Stephen F. Austin State Office Building
1700 N. Congress Ave.
Austin, Texas 78711

PERMIT TO DISPOSE OF WASTES
under provisions of Chapter 26
of the Texas Water Code

City of Frisco

whose mailing address is

P. O. Box 177
Frisco, Texas 75034

is authorized to treat and dispose of wastes from the Stewart Creek Wastewater Treatment Facilities

located approximately 2500 feet south of Farm to Market Road 720 and immediately west of the St. Louis - San Francisco Railroad in Collin County, Texas

to Stewart Creek; thence to Lake Lewisville in Segment No. 0823 of the Trinity River Basin

only in accordance with effluent limitations, monitoring requirements and other conditions set forth herein, as well as the rules of the Texas Water Commission ("Commission"), the laws of the State of Texas, and other orders of the Commission. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the herein described discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the herein described discharge route.

This permit and the authorization contained herein shall expire at midnight, five years after the date of Commission approval.

APPROVED, ISSUED AND EFFECTIVE this 14th day of June
19 88.

ATTEST: Karen A. Phillips Paul Hapkins
For the Commission

PERMIT NO. 10172-01
(corresponds to
NPDES PERMIT NO. TX0027715)

This is a renewal of Permit No.
10172-01 approved November 7, 1983.

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DEC - 6 1990

GW-EA

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 31 Texas Administrative Code (TAC) Chapter 305 certain regulations appear as standard conditions in waste discharge permits. All definitions contained in Section 26.001 of the Texas Water Code shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

- a. Daily average flow - the arithmetic average of all determinations of the daily discharge within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily discharge, the determination shall be the average of all instantaneous measurements taken during a 24-hour period or during the period of daily discharge if less than 24 hours.
- b. Instantaneous flow - the measured flow during the minimum time required to operate the flow measuring device.
- c. 2-hour peak - the maximum flow sustained for a two hour period during the period of daily discharge. Multiple measurements of instantaneous maximum flow within a two-hour period may be compared to the permitted 2-hour peak flow.
- d. Daily maximum flow - the highest total flow permitted for a 24-hour period.

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average weighted by flow value of all effluent samples, composite or grab, within a period of one calendar month, consisting of at least four separate representative measurements. When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab, within a period of one calendar week, consisting of at least three separate measurements.
- c. Daily maximum concentration - the maximum concentration measured on a single day (by composite sample).
- d. Fecal Coliform bacteria - the number of colonies per 100 milliliters effluent.

3. Sample Type

- a. Composite sample - a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow collected no closer than two hours; or a sample continuously collected, proportional to flow, in a continuous 24-hour period or during the period of daily discharge if less than 24 hours.
- b. Grab sample - an individual sample collected in less than 15 minutes.

4. Permitted Facility (facility) - Wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of municipal sewage, industrial wastes, agricultural wastes, recreational wastes or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.

5. The term "sewage sludge" shall mean the solids and precipitates separated from wastewater by unit processes.

MONITORING AND REPORTING

1. Self-Reporting

31 TAC §305.125(17) Monitoring results shall be provided at the intervals specified in the permit.

Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 31 TAC §§319.4-319.7.

Unless otherwise specified, a monthly effluent report must be submitted each month by the 20th day of the following month for each discharge which is described by this permit whether or not a discharge is made for that month. Knowingly making any false statement on any such report may result in the imposition of criminal and/or civil penalties as provided by State law.

2. Test Procedures

Test procedures for the analysis of pollutants shall comply with procedures specified in 31 TAC §§319.10-319.11. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.

3. Records of Results

31 TAC §305.125(11) Monitoring and reporting requirements are as follows:

- (a) Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- (b) Monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by the permit shall be retained at the facility site for a period of three years from the date of the record or sample, measurement, report, or certification. This period may be extended at the request of the executive director.
- (c) Records of monitoring activities shall include the following:
 - (i) date, time and place of sample or measurement;
 - (ii) identity of individual who collected the sample or made the measurement;
 - (iii) date of analysis;
 - (iv) identity of the individual and laboratory who performed the analysis;
 - (v) the technique or method of analysis; and
 - (vi) the results of the analysis or measurement.

The period during which records are required to be kept shall be automatically extended to and through the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, the results of such monitoring that indicate permit noncompliance shall be included in the calculation and reporting of the value submitted on the required monthly effluent report. Increased frequency of sampling shall be indicated on the report.

5. Calibration of Instruments

All automatic flow measuring and/or recording devices and/or totalizing meters for measuring permit limited flows shall be accurately calibrated by a trained person at plant startup and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall certify in writing that the device is operating properly and giving accurate results. Copies of the certification shall be kept at the plant site for at least three years.

6. Compliance Schedule Reports

31 TAC §305.125(18) Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date, unless otherwise specified by the Commission.

7. Noncompliance Notification

- a. 31 TAC §305.125(9) Unless specified otherwise, the permittee shall report any noncompliance to the executive director which may endanger human health or safety, or the environment. Report of such information shall be provided orally within 24 hours from the time the permittee becomes aware of the noncompliance. A written submission of such information shall also be provided within five working days of the time the permittee becomes aware of the noncompliance. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and, steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
- b. Any noncompliance exceeding 40% of the permitted effluent limitation shall be reported to the District Office within 5 working days of becoming aware of the condition.
- c. 31 TAC §305.125(12) Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Executive Director as promptly as possible.

8. Signatories To Reports

31 TAC §305.125(14) All reports and other information required herein or otherwise requested by the executive director shall be signed by the person and in the manner required by 31 TAC §305.128 (relating to Signatories to Reports).

PERMIT CONDITIONS

1. General

- a. 31 TAC §305.125(19) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the executive director, it shall promptly submit such facts or information.
- b. This permit is granted on the basis of the information supplied and representations made by the permittee in the course of the application process and in reliance upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, during its term for cause including, but not limited to, the following:
 - (i) Violation of any terms or conditions of this permit;
 - (ii) Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - (iii) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- c. 31 TAC §305.125(6) The permittee shall furnish to the executive director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking or, suspending the permit. The permittee shall also furnish to the executive director, upon request, copies of records required to be kept by the permit.

2. Compliance

- a. 31 TAC §305.124 Acceptance of the permit by the person to whom it is issued constitutes an acknowledgement and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the commission.
- b. 31 TAC §305.125(1) The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Solid Waste Disposal Act, and is grounds for enforcement action, for permit amendment, revocation or suspension, and/or for denial of a permit renewal application or of an application for a permit for another facility.
- c. 31 TAC §305.125(3) It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. 31 TAC §305.125(4) The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.
- e. 31 TAC §305.125(8) Authorization from the commission is required before beginning any change in the permitted facility or activity that would result in noncompliance with other permit requirements.
- f. 31 TAC §305.125(15) A permit may be amended, suspended and reissued, or revoked for cause. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. Any act required by this permit to be accomplished by the permittee on or by a described or specified date shall be done on or before that date. If the act is not done on or before that date, a new obligation to do the act shall arise on each succeeding calendar day until the act is done.

3. Inspections and Entry

- a. 31 TAC §305.125(10) Inspection and entry shall be allowed as prescribed in the Texas Water Code, Chapters 26, 27 and 28, and the Texas Solid Waste Disposal Act, Texas Civil Statutes, Article 4477-7, §7.
- b. As a condition to issuance of this permit, the permittee expressly consents to announced and unannounced inspections of the permitted facility by TWC employees or agents exhibiting proper credentials. The permittee is also hereby notified that the State and/or local governments specifically reserve all rights of entry and inspection granted them by law, including, but not limited to, the rights:
 - (i) At any reasonable times to enter upon the permittee's premises or other premises under the control of the permittee, where an effluent source is located or in which any records are required to be kept under the term and conditions of this permit;

- (ii) At any reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit;
- (iii) To inspect any monitoring equipment or monitoring method required in this permit;
- (iv) To sample any discharge; and
- (v) To perform an enforcement and/or operation and maintenance inspection of the permittee's facility.

4. Permit Amendment

- a. 31 TAC §305.125(7) The permittee shall give notice to the executive director prior to physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements.
- b. Prior to any facility modifications, additions and/or expansions of a permitted facility that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
- c. 31 TAC §305.125(2) The permittee must apply for an amendment or renewal prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. Authorization to continue such activity will terminate upon the effective denial of said application.
- d. Prior to accepting wastes which are not described in the permit application or which would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit. In no case are any new connections, increased flow or significant changes in influent quality authorized that will cause violation of the effluent limitations specified by this permit.
- e. By accepting this permit, permittee accepts the Commission's authority to amend the permit to require the system covered by this permit to be modified. Such amendments may be made when changes required are advisable for consideration of regional treatment and/or water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any of the existing or proposed waste collection, treatment or disposal systems.

5. Permit Transfer

- a. Prior to any transfer of this permit or change in control or ownership of facilities authorized by this permit, Commission approval must be obtained authorizing such transfer or change.
- b. 31 TAC §305.125(13) A permit may be transferred only according to the provisions of 31 TAC §305.64 (relating to Transfer of Permits) and 31 TAC 305.97 (relating to Action on Application for Transfer).

6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous solid waste storage, processing, or disposal which requires a permit or other authorization pursuant to the Texas Solid Waste Disposal Act, Article 4477-7, Vernon's Annotated Texas Civil Statutes.

7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to the waters in the state must be specifically authorized in this permit and may require a water rights permit pursuant to Chapter 11 of the Texas Water Code.

8. Property Rights

31 TAC §305.125(16) A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Documentation

For all notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification, upon the same basis as self-monitoring data are required to be kept and made available.

10. Plans and Specifications Approval

The plans and specifications for domestic sewage collection and treatment works associated with the discharge authorized by this permit must be approved pursuant to State law, and failure to secure approval before commencing construction of such works or making a discharge therefrom is a violation of this permit and each day of discharge is an additional violation until approval has been secured.

Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

RATIONAL REQUIREMENTS

31 TAC §305.125(5) The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit.

Proper operation and maintenance includes effective performance, adequate maintenance of equipment, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.

Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all provisions of 31 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals, and upon request of the executive director, the permittee shall take samples of the final effluent and provide proper analysis of such samples in order to demonstrate compliance with these rules.

The permittee shall notify the Executive Director of the Commission at least 90 days prior to conducting any activity of closure of any pit, pond, lagoon, or surface impoundment regulated by this permit.

The permittee is responsible for installing prior to plant startup, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.

Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or a means by which effluent flow may be determined based upon influent measuring.

31 TAC §305.126 whenever flow measurements for any domestic sewage treatment facility reach 75 percent of the permitted average daily flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the domestic wastewater treatment and/or collection facilities. Whenever, the average daily flow reaches 90 percent of the permitted average daily flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment facilities. In the case of a domestic wastewater treatment facility which reaches 75 percent of the permitted daily average flow for three consecutive months, and the planned population to be served is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission. If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Executive Director or his or her designee, and such waiver of these requirements will be reviewed upon expiration of the existing permit. However, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

Sewage treatment plants shall be operated and maintained by a sewage plant operator holding a valid certificate of competency.

OTHER REQUIREMENTS

1. The sludge from the treatment process shall be disposed of in accordance with all the applicable rules of the Texas Department of Health. The permittee shall ensure that the disposal of sludge does not cause any contamination of the ground or surface waters in the State. The permittee shall keep records of all sludges removed from the wastewater treatment plant site. Such records will include the following information:

- a. Volume of sludge disposed
- b. Date of disposal
- c. Identity of hauler
- d. Location of disposal site
- e. Method of final disposal

The above records shall be maintained on a monthly basis and be available at the plant site for inspection by authorized representatives of the Commission for at least three years.

2. The permittee shall remit an annual wastewater treatment inspection fee to the Commission as required by 31 TAC Chapter 305 (Subchapter M). Failure to pay this fee may result in revocation of this permit.

EXHIBIT B

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EXHIBIT B

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FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the date of issuance and lasting through the date of expiration, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.30 million gallons per day (MGD); nor shall the average discharge during any two-hour period (2-hour peak) exceed 410 gallons per minute (gpm).

Effluent Characteristic

	<u>Discharge Limitations</u>			<u>Minimum Self-Monitoring Requirements</u>	
	<u>Daily Avg</u> mg/l(1bs/day)	<u>7-day Avg</u> mg/l	<u>Daily Max</u> mg/l	<u>Report Daily Avg. & Max.</u>	<u>Single Grab</u> Measurement Frequency Sample Type
Flow	N/A	N/A	N/A	Five/week	Instantaneous
Biochemical Oxygen Demand (5-day)	20 (50)	30	45	One/week	Grab
Total Suspended Solids	20 (50)	30	45	One/week	Grab

2. The effluent shall contain a chlorine residual of at least 1.0 mg/l and a maximum of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow), and shall be monitored five times per week by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Commission.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per month by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): following the final treatment unit.
6. The effluent shall contain a minimum dissolved oxygen concentration of 6.0 mg/l.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 31 Texas Administrative Code (TAC) Chapter 305 certain regulations appear as standard conditions in waste discharge permits. All definitions contained in Section 26.001 of the Texas Water Code shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

- a. Daily average flow - the arithmetic average of all determinations of the daily discharge within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily discharge, the determination shall be the average of all instantaneous measurements taken during a 24-hour period or during the period of daily discharge if less than 24 hours. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.
- b. Instantaneous flow - the measured flow during the minimum time required to operate the flow measuring device.
- c. 2-hour peak (domestic wastewater treatment plants) - the maximum flow sustained for a two hour period during the period of daily discharge. Multiple measurements of instantaneous maximum flow within a two-hour period may be compared to the permitted 2-hour peak flow.
- d. Daily maximum flow - the highest total flow permitted for a 24-hour period.

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements. (i) For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration. (ii) For all other wastewater treatment plants - When four samples are not available in calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab, within a period of one calendar week, consisting of at least three separate measurements.
- c. Daily maximum concentration - the maximum concentration measured on a single day (by composite sample).
- d. Fecal Coliform bacteria-the number of colonies per 100 milliliters effluent.

3. Sample Type

- a. Composite sample - a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow collected no closer than two hours; or a sample continuously collected, proportional to flow, in a continuous 24-hour period or during the period of daily discharge if less than 24 hours.
- b. Grab sample - an individual sample collected in less than 15 minutes.
4. Permitted Facility (facility) - Wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of municipal sewage, industrial wastes, agricultural wastes, recreational wastes or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
5. The term "sewage sludge" shall mean the solids and precipitates separated from wastewater by unit processes.

MONITORING AND REPORTING

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31 TAC §305.125(17) Monitoring results shall be provided at the intervals specified in the permit.

Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 31 TAC §§319.4-319.7.

Unless otherwise specified, a monthly effluent report must be submitted each month by the 20th day of the following month for each discharge which is described by this permit whether or not a discharge is made for that month. Knowingly making any false statement on any such report may result in the imposition of criminal and/or civil penalties as provided by State law.

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1. General

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- b. This permit is granted on the basis of the information supplied and representations made by the permittee during the application process and in reliance upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part in accordance with 31 TAC 305.61-305.68, during its term for cause including, but not limited to, the following:
 - (i) Violation of any terms or conditions of this permit;
 - (ii) Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - (iii) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- c. 31 TAC §305.125(6) The permittee shall furnish to the executive director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking or, suspending, or terminating the permit. The permittee shall also furnish to the executive director, upon request, copies of records required to be kept by the permit.

2. Compliance

- a. 31 TAC §305.124 Acceptance of the permit by the person to whom it is issued constitutes an acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the commission.
- b. 31 TAC §305.125(1) The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Solid Waste Disposal Act, and is grounds for enforcement action, for permit amendment, revocation or suspension, or for denial of a permit renewal application or of an application for a permit for another facility.
- c. 31 TAC §305.125(3) It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. 31 TAC §305.125(4) The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.
- e. 31 TAC §305.125(8) Authorization from the commission is required before beginning any change in the permitted facility or activity that would result in noncompliance with other permit requirements.
- f. 31 TAC §305.125(15) A permit may be amended, suspended and reissued, or revoked for cause. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. Any act required by this permit to be accomplished by the permittee on or by a described or specified date shall be done on or before that date. If the act is not done on or before that date, a new obligation to do the act shall arise on each succeeding calendar day until the act is done.

3. Inspections and Entry

- a. 31 TAC §305.125(10) Inspection and entry shall be allowed as prescribed in the Texas Water Code, Chapters 26, 27 and 28, and the Texas Solid Waste Disposal Act, Texas Civil Statutes, Article 4477-7, §7.
- b. As a condition to issuance of this permit, the permittee expressly consents to announced and unannounced inspections of the permitted facility by TWC employees or agents exhibiting proper credentials. The permittee is also hereby notified that the State and/or local governments specifically reserve all rights of entry and inspection granted them by law, including, but not limited to, the rights:
 - (i) At any reasonable times to enter upon the permittee's premises or other premises under the control of the permittee, where an effluent source is located or in which any records are required to be kept under the term and conditions of this permit;

- (ii) At any reasonable times have access to and copy any records required be kept under the terms and conditions of this permit;
- (iii) At any reasonable times to inspect any monitoring equipment or monitoring method required in this permit;
- (iv) At any reasonable times to sample any discharge; and
- (v) At any reasonable times to perform an enforcement and/or operation and maintenance inspection of the permittee's facility.

4. Permit Amendment

- a. 31 TAC §305.125(7) The permittee shall give notice to the executive director prior to physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements.
- b. Prior to any facility modifications, additions and/or expansions of a permitted facility that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
- c. 31 TAC §305.125(2) The permittee must apply for an amendment or renewal prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. Authorization to continue such activity will terminate upon the effective denial of said application.
- d. Prior to accepting wastes which are not described in the permit application or which would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit. In no case are any new connections, increased flow or significant changes in influent quality authorized that will cause violation of the effluent limitations specified by this permit.
- e. By accepting this permit, permittee accepts the Commission's authority to amend the permit in accordance with applicable rules to require the system covered by this permit to be modified. Such amendments may be made when changes required are advisable for consideration of regional treatment and/or water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any of the existing or proposed waste collection, treatment or disposal systems.

5. Permit Transfer

- a. Prior to any transfer of this permit or change in control or ownership of facilities authorized by this permit, Commission approval must be obtained authorizing such transfer or change.
- b. 31 TAC §305.125(13) A permit may be transferred only according to the provisions of 31 TAC §305.64 (relating to Transfer of Permits) and 31 TAC 305.97 (relating to Action on Application for Transfer).

6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous solid waste storage, processing, or disposal which requires a permit or other authorization pursuant to the Texas Solid Waste Disposal Act, Article 4477-7, Vernon's Annotated Texas Civil Statutes.

7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to the waters in the state must be specifically authorized in this permit and may require a water rights permit pursuant to Chapter 11 of the Texas Water Code.

8. Property Rights

31 TAC §305.125(16) A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification, upon the same basis as self-monitoring data are required to be kept and made available.

10. Plans and Specifications Approval

The plans and specifications for domestic sewage collection and treatment works associated with the discharge authorized by this permit must be approved pursuant to State law, and failure to secure approval before commencing construction of such works or making a discharge therefrom is a violation of this permit and each day of discharge is an additional violation until approval has been secured.

11. Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

OPERATIONAL REQUIREMENTS

1. 31 TAC §305.125(5) The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit.

Proper operation and maintenance includes effective performance, adequate maintenance of equipment, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.

2. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all provisions of 31 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals, and upon request of the executive director, the permittee shall take samples of the final effluent and provide proper analysis of such samples in order to demonstrate compliance with these rules.
3. The permittee shall notify the Executive Director of the Commission at least 90 days prior to conducting any activity of closure of any pit, pond, lagoon, or surface impoundment regulated by this permit.
4. The permittee is responsible for installing prior to plant startup, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or a means by which effluent flow may be determined based upon influent measuring.
6. The permittee shall remit an annual waste treatment inspection fee to the Commission as required by 31 TAC 305 (Subchapter M). Failure to pay this fee may result in revocation of this permit.
7. 31 TAC §305.126 whenever flow measurements for any domestic sewage treatment facility reach 75 percent of the permitted average daily flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the domestic wastewater treatment and/or collection facilities. Whenever the average daily flow reaches 90 percent of the permitted average daily flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment facilities. In the case of a domestic wastewater treatment facility which reaches 75 percent of the permitted daily average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission. If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Executive Director or his or her designee, and such waiver of these requirements will be reviewed upon expiration of the existing permit. However, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.
8. Sewage treatment plants shall be operated and maintained by a sewage plant operator holding a valid certificate of competency as defined in 31 TAC 325.1.

OTHER REQUIREMENTS

1. A certified operator shall inspect the facility daily and maintain at the plant site a record of these inspections.
2. The sludge from the treatment process shall be disposed of in accordance with all the applicable rules of the Texas Department of Health. The permittee shall ensure that the disposal of sludge does not cause any contamination of the ground or surface waters in the State. The permittee shall keep records of all sludges removed from the wastewater treatment plant site. Such records will include the following information:
 - a. Volume of sludge disposed
 - b. Date of disposal
 - c. Identity of hauler
 - d. Location of disposal site
 - e. Method of final disposal

The above records shall be maintained on a monthly basis and be available at the plant site for inspection by authorized representatives of the Commission for at least three years.

8. By ownership or legal easement the permittee shall maintain a minimum buffer zone of 150 feet from any treatment to any residential property.

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Texas Water Commission

INTEROFFICE MEMORANDUM

TO : Texas Water Commission
THRU : ~~Allen~~ Beinke, Executive Director
FROM : Clyde E. Bohmfalk, Director, Water Quality Division
SUBJECT: Enforcement Report; City of Frisco, Permit Nos.
10172-01 & 10172-02

DATE: September 5, 1990

Attached for your review and action is an enforcement report prepared by the Water Quality Division concerning the City of Frisco.

Description of Noncompliance and Recommended Penalties:

On April 16, 1990, the City of Frisco reported unauthorized discharges of raw sewage (approximately 200,000 gallons at each plant) from the influent structures at the Cottonwood Creek and Stewart Creek Wastewater Treatment Plants. On April 22, 1990, the City of Frisco reported an unauthorized discharge of raw sewage (approximately 240,000 gallons) from the influent structure at the Stewart Creek Wastewater Treatment Plant.

Number of Violations: 3

Calculated Penalty Per Violation: \$3,680

Total Recommended Penalty = \$11,040

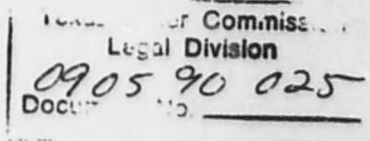
Please feel free to contact us if you need additional information.

Rex E. McDonnell
Clyde E. Bohmfalk

RDR

Attachment

cc: Texas Water Commission District 4 Office



EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT

Permittee: City of Frisco
P. O. Box 177
Frisco, Texas 75034

Permit Numbers: 10172-01 - Stewart Creek Treatment Plant
10172-02 - Cottonwood Creek Treatment Plant

Citation of Noncompliance:

Texas Water Code Section 26.121 and Permit Nos. 10172-01 & 02

Description of Noncompliance and Recommended Penalties:

On April 16, 1990, the City of Frisco reported unauthorized discharges of raw sewage (approximately 200,000 gallons at each plant) from the influent structures at the Cottonwood Creek and Stewart Creek Wastewater Treatment Plants. On April 22, 1990, the City of Frisco reported an unauthorized discharge of raw sewage (approximately 240,000 gallons) from the influent structure at the Stewart Creek Wastewater Treatment Plant.

Number of Violations: 3
Calculated Penalty Per Violation: \$3,680
Total Recommended Penalty = \$11,040

Description and Location of Treatment System and Receiving Stream:

The City of Frisco has a population of approximately 6,300 people. The Stewart Creek Plant which is permitted to discharge 0.6 million gallons per day (MGD), consists of a bar screen, two grit basins, lift station, equalization basin, emergency holding basin, contact-stabilization basin, final clarifier, chlorine contact basin, aerobic digester, and four sludge drying beds.

The Cottonwood Creek Plant which is permitted to discharge 0.3 MGD, consists of a bar screen, lift station, aeration basins, final clarifier, chlorine contact basin, aerobic digester, and sludge drying beds.

The Stewart Creek Plant is located approximately 2,500 feet south of Farm to Market Road 720, and immediately west of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Stewart Creek; thence to Lake Lewisville in Segment No. 0823 of the Trinity River Basin. The Cottonwood Creek Plant is located approximately 2,500 feet north of Farm to Market Road 720, and immediately east of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Cottonwood

Creek; thence to Lake Lewisville in Segment No. 0823 of the Trinity River Basin.

The April, 1988 Texas Surface Water Quality Standards list the designated uses of Segment No. 0823 as contact recreation, high quality aquatic habitat, and public water supply.

Applicable Permit Limits:

Stewart Creek Plant

<u>Parameter</u>	<u>Single Grab</u>	<u>Daily Average</u>	<u>7-day Average</u>	<u>Daily Maximum</u>
Flow (MGD)	--	0.6	--	1225 GPM *
BOD ₅ (mg/l)	65	20	30	45
TSS ₅ (mg/l)	65	20	30	45
NH ₃ -N (mg/l)	--	10	--	15
pH (s.u.)	6.0-9.0	--	--	--
Cl ₂ (mg/l)	>1.0	--	--	--
D.O. (mg/l)	>4.0	--	--	--

Cottonwood Creek Plant

<u>Parameter</u>	<u>Single Grab</u>	<u>Daily Average</u>	<u>7-day Average</u>	<u>Daily Maximum</u>
Flow (MGD)	--	0.3	--	410 GPM *
BOD ₅ (mg/l)	65	20	30	45
TSS ₅ (mg/l)	65	20	30	45
pH (s.u.)	6.0-9.0	--	--	--
Cl ₂ (mg/l)	1.0-4.0	--	--	--
D.O. (mg/l)	>6.0	--	--	--

Abbreviations:

GPM = Gallons Per Minute
 BOD₅ = Five-Day Biochemical Oxygen Demand
 TSS₅ = Total Suspended Solids
 NH₃-N = Ammonia Nitrogen
 s.u. = Standard Units
 D.O. = Dissolved Oxygen
 mg/l = Milligrams Per Liter
 Cl₂ = Chlorine Residual
 *2 = 2-Hour Peak

Permit Expiration Date: 10172-01 - June 14, 1993
 10172-02 - January 9, 1994

Discussion:

Because of a history of permit noncompliances and other deficiencies at both the Stewart Creek and Cottonwood Creek Wastewater Treatment Plants, an Enforcement Order was issued against the City of Frisco on May 27, 1987. The Order included technical recommendations directed at bringing the plants into compliance. The City paid an administrative penalty of \$6,880 upon issuance of the Order, as well as an additional \$15,500 for violations of stipulated penalty provisions during the pendency of the Order. The Order expired on May 27, 1989.

The City has made considerable progress since issuance of the May, 1987 Order. However, since several critical areas of concern remain, a second Enforcement Order is necessary to address the continuing problems, and to help facilitate bringing both plants into compliance.

One problem of concern is the severe infiltration/inflow (I/I) into the City's collection system during rainfall events, which results in bypasses of raw sewage from the influent structures at both of the City's plants. Since January, 1989, the City has reported numerous bypasses of raw sewage as follows:

Stewart Creek Plant

<u>Date</u>	<u>Time</u>	<u>Estimated Quantity Bypassed (gallons) *</u>
1-25-89	3 p.m. - 5 p.m.	15,000
1-25-89	9 p.m. - 12 mid	27,000
1-26-89	12 mid - 9 p.m.	210,000
1-28-89	8 a.m. - 11 p.m.	150,000
2-16-89	4 p.m. - 12 mid	80,000
2-17-89	12 mid - 12 mid	240,000
2-18-89	12 mid - 11 p.m.	230,000
3-27-89	9 a.m. - 12 mid	150,000
3-28-89	12 mid - 11 p.m.	230,000
6-07-89	8 a.m. - 12 mid	200,000
6-08-89	12 mid - 12 mid	240,000
6-09-89	12 mid - 10 p.m.	220,000
6-12-89	8 p.m. - 12 p.m.	40,000
6-13-89	12 mid - 12 mid	240,000
6-14-89	12 mid - 12 mid	240,000
6-15-89	12 mid - 11 p.m.	230,000
1-19-90	12 p.m. - 11 p.m.	110,000
2-01-90	7 a.m. - 12 mid	170,000
4-16-90	4 a.m. - 12 mid	200,000
4-17-90	12 mid - 11 p.m.	170,000
4-20-90	12 p.m. - 12 mid	120,000
4-21-90	12 mid - 12 mid	240,000
4-22-90	12 mid - 12 mid	240,000

* Estimate Based On 10,000 Gallons Per Hour (Reported By The City)

Cottonwood Creek Plant

<u>Date</u>	<u>Time</u>	<u>Estimated Quantity Bypassed (gallons) *</u>
1-25-89	4 p.m. - 12 mid	78,000
1-26-89	12 mid - 3 p.m.	150,000
1-28-89	8 a.m. - 10 p.m.	140,000
2-16-89	4 p.m. - 12 mid	80,000
2-17-89	12 mid - 12 mid	240,000
2-18-89	12 mid - 11 p.m.	230,000
3-27-89	9 a.m. - 12 mid	150,000
3-28-89	12 mid - 11 p.m.	230,000
6-07-89	12 mid - 12 mid	240,000
6-08-89	12 mid - 10 p.m.	220,000
6-12-89	11 a.m. - 12 mid	130,000
6-13-89	12 mid - 12 mid	240,000
6-14-89	12 mid - 8 p.m.	200,000
1-19-90	12 p.m. - 11 p.m.	110,000
2-01-90	7 a.m. - 6 p.m.	115,000
4-16-90	4 a.m. - 12 p.m.	200,000

* Estimate Based On 10,000 Gallons Per Hour (Reported By The City)

The data listed above reflects only those bypasses which occurred from the influent structure at each plant (as reported by the City), and does not include overflows from manholes in the collection system which the City has indicated occur during rainfall events, but apparently has been unaware that manhole overflows must also be reported.

Another area of concern is the excessive heavy metals concentrations that are still being received at the Stewart Creek Plant. Four major industries that have been documented as having discharged harmful pollutants (including heavy metals) to the City's sewer system, and have violated the City's Industrial Waste Ordinance in the past are:

1. GNB Incorporated - lead recovery from used batteries.
2. P.C. Dynamics - microelectric circuits, plastics.
3. Hudson Industries - semi conductors, electroplating.
4. Circuit Fab Corp - printed circuit boards.

During a March 14 and 15, 1989 TWC annual compliance inspection at the Stewart Creek Plant, dewatered sludge samples were collected from each of the four sludge drying beds and were analyzed for heavy metals concentrations. Results indicated that samples from three of the drying beds exceeded the maximum concentration of contaminants for the characteristic of EP toxicity for Cadmium per 40 Code of Federal Regulations (CFR) 261.24. Two additional sampling routines were performed by the TWC District 4 Office on June 26, 1989, and December 11, 1989. Once again the results indicated elevated levels of heavy metals concentrations in the dewatered sludge samples from the Stewart Creek Plant as follows:

EP toxicity analysis results for individual grab samples of dewatered sludge collected from the drying beds at the Stewart Creek Plant

Drying Bed Number 1 - June 26, 1989 & December 11, 1989

	<u>June 26, 1989</u>	<u>December 11, 1989</u>
*Cadmium (EP toxicity) (ug/l)	2145	5280

Drying Bed Number 2 - June 26, 1989 & December 11, 1989

	<u>June 26, 1989</u>	<u>December 11, 1989</u>
*Cadmium (EP toxicity) (ug/l)	4400	3340

Drying Bed Number 4 - June 26, 1989

	<u>June 26, 1989</u>
*Cadmium (EP toxicity) (ug/l)	1330

* Exceeded EP toxicity Limit of 1.0 mg/l (1,000 ug/l) for Cadmium per 40 CFR 261.24

An enforcement conference was held with Frisco representatives and members of the TWC staff on April 27, 1990. During the conference the City indicated that a comprehensive smoke testing study had been completed, and that a total of 275 sources of I/I were identified in the City collection system. The City further indicated that an I/I repair crew could be formed and mobilized by the first part of June, 1990, and that the City should have significantly reduced the amount of I/I entering the system and eliminated all bypassing by November, 1991. The City also discussed the progress toward construction of a new 1.5 MGD Stewart Creek West Plant which is expected to be on-line by December 23, 1991.

Based on information from the District 4 Office inspection reports, discussions during the enforcement conference, as well as the correspondence from the City following the conference, the staff proposes the following technical recommendations.

Technical Recommendations:

1. Effective immediately from the date of the signing of an Order, the City shall pay stipulated penalties according to the following schedule for occurrences of unauthorized discharges or bypasses of partially treated and/or raw sewage:
 - (a) from the date of the signing of an Order through April 30, 1991: \$750 per day;
 - (b) from May 1, 1991 through October 31, 1991: \$1,500 per day; and
 - (c) from November 1, 1991 through the termination of an Order: \$2,500 per day.

EP toxicity analysis results for individual grab samples of dewatered sludge collected from the drying beds at the Stewart Creek Plant

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 - (c) from November 1, 1991 through the termination of an Order: \$2,500 per day.

The above schedule applies to any single or multiple event unauthorized discharge or bypass (during a 24-hour period) from the City's wastewater collection system, Stewart Creek Treatment Plant, and/or the Cottonwood Creek Treatment Plant. The maximum amount of stipulated penalties for unauthorized discharges or bypasses shall not exceed \$5,000 for any one calendar month.

2. Effective the first full calendar month following the signing of an Order, the City shall collect a 24-hour composite sample of the Stewart Creek Plant effluent once per week for three (3) consecutive months, and analyze for the following heavy metals in accordance with the appropriate EPA method listed next to each: Arsenic (EPA method 206.2), Cadmium (EPA method 213.2), Chromium (EPA method 218.2), Copper (EPA method 220.2), Lead (EPA method 239.2), Nickel (EPA method 249.2), and Zinc (EPA method 289.2). The City shall submit reports of the results of those analyses within 60 days of the end of the month during which the samples were taken. At the conclusion of the 3 month sampling period, and after receipt and review of the final heavy metals analyses report, the TWC may (if necessary) contact the City to schedule a meeting between the City, the TWC Permits Section, and the TWC Wastewater Enforcement Section. The purpose of such meeting will be to evaluate and discuss the results of the heavy metals analyses reports, and to determine if Permit No. 10172-01 must be amended to include heavy metals monitoring and/or additional limitations. Should the TWC determine that a permit amendment is necessary, the City shall comply with all requests and/or requirements of the TWC pursuant to having the permit amended.
3. Effective immediately, all sludge generated at the Stewart Creek Treatment Plant shall be analyzed for Arsenic, Cadmium, Chromium, and Lead using the approved testing methods in accordance with 31 TAC Section 335.62 and 40 CFR Part 261. If the analysis shows the sludge to be nonhazardous, then the sludge shall be disposed of in accordance with all applicable rules of the Texas Department of Health and shall comply with the requirements of Permit No. 10172-01. If the analysis shows the sludge to be a hazardous waste, then the sludge shall be disposed of as a Class I hazardous waste. The City shall dispose of all Class I hazardous waste at a TWC authorized hazardous waste disposal facility within 30 days of receipt of the analyses. All disposal activities shall comply with the applicable shipping and manifesting requirements pursuant to 31 TAC Section 335.10. The City shall notify the TWC District 4 Office within 5 days from the time the City becomes aware of any test results that are determined to be hazardous. The City shall submit proof of proper disposal of all Class I hazardous wastes to the TWC District 4 Office within 30 days of final disposal.

4. The permittee shall submit a revised Closure Plan to the TWC Hazardous and Solid Waste Enforcement Section which provides for the closure of the sludge drying beds at the Stewart Creek Wastewater Treatment Plant as hazardous waste management units (surface impoundments) within sixty (60) days of the receipt of the TWC's response to the "Addendum to Closure Plan, Sludge Drying Beds, Stewart Creek Wastewater Treatment Plant, Frisco, Texas" which formally requests the submission of a Closure Plan to address closure of this unit as a hazardous waste management unit. This revised Closure Plan shall meet the requirements set forth in 31 TAC Section 335.8 and 40 CFR Part 265 Subparts G and K and shall contain a schedule for implementation of closure activities not to exceed 180 days from the date of receipt of approval and/or modification of such plan from the Executive Director. The permittee shall implement the revised Closure Plan in accordance with the schedules set forth therein, as approved and/or modified by the Executive Director, upon receipt of its written approval.
5. The permittee shall aggressively enforce its industrial waste ordinance to prevent/eliminate recurring permit noncompliances. The permittee shall submit quarterly summary reports which describe monitoring activities performed and enforcement action taken for violations of the ordinance. The first report shall be accompanied by a list of major industries served and sources of waste discharged by each. The reports are due 25 days following the end of each calendar quarter.
6. By no later than December 23, 1991, the permittee shall have completed construction of, and placed in service the proposed Stewart Creek West Wastewater Treatment Plant and pipeline/interceptor. The permittee shall have secured the approval of the plans and specifications for the proposed plant from the TWC Plans and Specifications Review Section, and shall have received a permit (or other TWC approval) prior to commencement of construction. The permittee shall pay stipulated penalties in the amount of \$50 for each day following the permittee's failure to comply with the construction deadline specified herein.
7. The permittee shall develop and implement a water conservation/retrofit program designed to reduce rates of wastewater inflow to the permittee's plant. Accordingly:
 - (a) the permittee shall submit to the Executive Director for review, possible modification, and approval, a water conservation/retrofit program within 180 days from the date an Order is signed; and
 - (b) the permittee shall implement such water conservation/retrofit program within 90 days from the date of the Executive Director's approval of the program.

8. The permittee shall, upon the occasion of the second regular billing of its sewage treatment plant customers, but in any event not more than 60 days after the signing of an Order, include with each bill, notification to the effect that the Texas Water Commission has imposed an administrative penalty on the permittee for alleged water pollution due to alleged maintenance deficiencies of the City's sewage collection system, that the permittee admits no liability but has agreed to pay administrative penalties in the amount of \$11,040, and has agreed to abide by the Commission Order requiring improved operation and maintenance of the City's sewage collection system and wastewater treatment plants, and to comply with the proposed "Stewart Creek West Plant" construction schedule.
9. Whenever flow measurements at any of the City's sewage treatment facilities reach 75 percent of the permitted average flow for three consecutive months, the City shall initiate engineering and financial planning for expansion and/or upgrading of the wastewater treatment and/or collection facilities. Whenever the average daily flow reaches 90 percent of the permitted average daily flow for three consecutive months, the City shall obtain necessary authorization from the Texas Water Commission to commence construction of the necessary additional treatment facilities. In the case of a wastewater treatment facility which reaches 75 percent of the permitted average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director. If in the judgment of the Executive Director the population to be served or the quantity of waste produced will not cause permit noncompliance, then the requirements of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Water Quality Division, or his or her designee, and such waiver of these requirements will be reviewed upon expiration of the existing permit. However, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.
10. The City shall prepare monthly reports setting forth any violations which are covered by stipulated penalty provisions herein and calculating the stipulated penalties that the City is required to pay for such violations. Monthly reports shall be submitted no later than 30 days following each monthly reporting period to the Enforcement Section of the Commission's Water Quality Division. No report is required if no violations of stipulated penalty provisions occurred during the reporting period. The Enforcement Section shall review the report for the purpose of verifying the violations and penalty computations. If the Enforcement Section disputes any report by the City concerning violations and/or

penalty computations, it shall notify the City in writing of this fact and the reasons for refusal to verify the report. The City and the Executive Director shall attempt to resolve any disputed issues on an informal basis. Should informal consultations fail to resolve the dispute, either party is entitled to a hearing before the Commission, after notice to the other party and to the Public Interest Counsel. Stipulated penalties shall be paid to "The General Revenue Fund of the State of Texas," and payment shall be mailed to the Chief Fiscal Officer, Texas Water Commission, "Re: City of Frisco Enforcement Order," P.O. Box 13087, Capitol Station, Austin, Texas 78711-3087, within 30 days from the date on which the monthly report is submitted.

11. This Order shall expire three years after the signature date provided all the terms and conditions of this Order have been completed to the satisfaction of the Executive Director.

Prepared by: Ricky Rasberry
Wastewater Enforcement Section
Water Quality Division

Investigated by: Forrest John
TWC District 4 Office
Field Operations Division

Date: July 19, 1990

penalty computations, it shall notify the City in writing of this fact and the reasons for refusal to verify the report. The City and the Executive Director shall attempt to resolve any disputed issues on an informal basis. Should informal consultations fail to resolve the dispute, either party is entitled to a hearing before the Commission, after notice to the other party and to the Public Interest Counsel. Stipulated penalties shall be paid to "The General Revenue Fund of the State of Texas," and payment shall be mailed to the Chief Fiscal Officer, Texas Water Commission, "Re: City of Frisco Enforcement Order," P.O. Box 13087, Capitol Station, Austin, Texas 78711-3087, within 30 days from the date on which the monthly report is submitted.

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Prepared by: Ricky Rasberry
Wastewater Enforcement Section
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Investigated by: Forrest John
TWC District 4 Office
Field Operations Division

Date: July 19, 1990

PENALTY COMPUTATION WORKSHEET

Permittee: City of Frisco
P. O. Box 177
Frisco, Texas 75034

Permit Number: 10172-01 - Stewart Creek Treatment Plant
10172-02 - Cottonwood Creek Treatment Plant

Citation of Noncompliance:

Texas Water Code Chapter 26.121 and Permit Nos. 10172-01 & 02

Description of Noncompliance:

On April 16, 1990, the City of Frisco reported unauthorized discharges of raw sewage (approximately 200,000 gallons at each plant) from the influent structures at the Cottonwood Creek and Stewart Creek Wastewater Treatment Plants. On April 22, 1990, the City of Frisco reported an unauthorized discharge of raw sewage (approximately 240,000 gallons) from the influent structure at the Stewart Creek Wastewater Treatment Plant.

Part I - Recommended Penalty Range Based on Violation

1. Level of Extent & Gravity of Violation: Major
2. Level of Impact or Hazard of Violation: Moderate

Recommended Penalty Range: \$3,200 to \$4,399

Justification:

The extent and gravity of the violations are major since the discharges were not authorized by rule, permit or order of the Texas Water Commission. The level of impact or hazard is considered moderate since these bypasses had the potential for measurable detrimental impact on the receiving stream as a result of elevated levels of fecal coliform, suspended solids, and biochemical oxygen demanding substances commonly found in raw sewage. High levels of fecal coliform indicate the possible presence of dangerous bacteria which may pose a threat to public health and the environment. Deposition of solids impact benthic (bottom dwelling) organisms in the receiving stream as well as other organisms in the food chain that depend on benthic organisms for survival. Suspended solids containing large amounts of organic matter may increase the Biochemical Oxygen Demand (BOD₅) load to the stream. High levels of solids also reduce light penetration, which in turn limits the rate of photosynthesis by algae and aquatic plants. This subsequently reduces the rate of oxygen production, which results in lower levels of dissolved oxygen in the stream.

Part II - Penalty Range Adjustments

1. History of Noncompliance (upward adjustment of 20%):

Justification:

Since 1985, the City has reported numerous (at least 39 documented occurrences from January, 1989 through April, 1990) bypasses of raw sewage from the influent structures at both the Cottonwood Creek and Stewart Creek Wastewater Treatment Plants.

2. Degree of Culpability (upward adjustment of 20%):

Justification:

The City has been aware (through district inspections and deficiency letters) of the I/I into the City's collection system during rainfall events, and also of the resulting raw sewage bypasses. However, the City has failed to initiate timely corrective action to reduce/eliminate the I/I; therefore, the violations could have been reasonably anticipated and avoided.

3. Good Faith Efforts to Comply/Remedy (downward adjustment of 15%):

Justification:

During the summer and fall of 1989, the City smoke-tested approximately 99,800 linear feet of sewer lines in the City, and identified a total of 275 sources of I/I. In June, 1990, the City formed and mobilized an I/I repair crew assigned to I/I rehabilitation projects. Additionally, the City has taken action toward constructing a new 1.5 MGD plant which will be capable of treating increased wastewater flows upon completion.

4. Economic Benefit of Noncompliance (upward adjustment of 15%):

Justification:

The City has benefitted economically by delaying the costs associated with I/I identification and rehabilitation, and sewage treatment plant construction.

5. Enhanced Penalty Needed to Deter Future Violations (no adjustment):

Justification:

In view of the present efforts being made by the City to reduce/eliminate I/I into the City's collection system (thus reducing the potential for future raw sewage bypasses), and the City's action toward constructing a new 1.5 MGD plant, no enhanced penalty is necessary.

Total Penalty Range Adjustment: +40%

Part III - Recommended Total Penalty Calculation (Part I + Part II):

$$\$3,200 + (40\% \times \$1,200) = \$3,680$$

Total Penalty Amount Per Event: \$3,680

Total Number of Penalty Events: 3

Total Penalty Amount: \$11,040

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TEXAS WATER COMMISSION



IN THE MATTER OF	§	
THE EXECUTIVE DIRECTOR'S	§	
PRELIMINARY ENFORCEMENT	§	BEFORE THE
REPORT CONCERNING THE	§	
CITY OF FRISCO, PERMIT NOS.	§	TEXAS WATER COMMISSION
10172-01 AND 10172-02	§	

ENFORCEMENT ORDER

On the _____ day of _____, 1991, the Texas Water Commission ("Commission") considered the "Notice of Executive Director's Preliminary Enforcement Report and Petition for an Order Assessing Administrative Penalties and Requiring Certain Actions of the City of Frisco." Having heard the evidence and argument of the parties, the Commission hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The City of Frisco ("Frisco") is a municipality which owns two wastewater treatment plants. The Stewart Creek Plant is located approximately 2,500 feet south of Farm to Market 720, and immediately west of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Stewart Creek; thence to Lake Lewisville in Stream Segment No. 0823 of the Trinity River Basin.

The Cottonwood Creek Plant is located approximately 2,500 feet north of Farm to Market Road 720, and immediately east of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Cottonwood Creek; thence to Lake Lewisville in Stream Segment No. 0823 of the Trinity River Basin.

According to the April, 1988 Texas Surface Water Quality Standards, the designated uses of Stream Segment No. 0823 are contact recreation, high quality aquatic habitat, and public water supply.

2. On April 16, 1990, the City of Frisco reported unauthorized discharges of raw sewage (approximately 200,000 gallons at each plant) from the influent structures at the Cottonwood

2. The events as found in Finding of Fact No. 2, constitute violations of §26.121 of the Code and Permit Nos. 10172-01 and 10172-02.
3. The events as found in Finding of Fact No. 3 demonstrate that the City of Frisco has managed characteristically hazardous waste, as defined in 40 Code of Federal Regulations ("CFR") Part 261 and, incorporated by reference in 31 TAC §335.1, in at least three of the sludge drying beds at the facility.
4. The City of Frisco does not have a permit or other authorization from the Commission to store hazardous wastes on-site in tanks or containers for more than ninety (90) days or to dispose hazardous waste in waste piles at the Stewart Creek wastewater treatment plant.
5. Sections 26.136(a) and (b) of the Texas Water Code allow the Commission to assess civil penalties of up to \$10,000 per day for violations of Chapter 26 of the Code or Commission permits, rules or orders. In determining the amount of the penalty, §26.136(c)(1)-(4) requires the Commission to consider the level of extent and gravity of the violation, the level of impact or hazard of the violation, the history of noncompliance, degree of culpability, good faith efforts to comply or remedy, economic benefit of noncompliance, future deterrence, and any other matters that justice may require.
6. An administrative penalty in the amount of \$11,040 is justified by the violations found herein, considered in light of the factors specified in Section 26.136(c) of the Code and analyzed in the Executive Director's Preliminary Enforcement Report.
7. Section 26.019 of the Code authorizes the Commission to issue orders and make determinations necessary to effectuate the purposes of Chapter 26 of the Code and Permit Nos. 10172-01 and 10172-02.
8. Section 361.302 of the Texas Solid Waste Disposal Act, TEX. HEALTH & SAFETY CODE ANN. Chapter 361 (Vernon Supp. 1990) authorizes the Commission to issue enforcement orders directing compliance with the Act and Commission rules.
9. Frisco should be ordered to undertake such actions as are necessary to effectuate compliance with the provisions of Chapter 26 of the Code, the Act, and Permit Nos. 10172-01 and 10172-02.

NOW THEREFORE, BE IT ORDERED BY THE COMMISSION that, based

2. The events as found in Finding of Fact No. 2, constitute violations of §26.121 of the Code and Permit Nos. 10172-01 and 10172-02.
3. The events as found in Finding of Fact No. 3 demonstrate that the City of Frisco has managed characteristically hazardous waste, as defined in 40 Code of Federal Regulations ("CFR") Part 261 and, incorporated by reference in 31 TAC §335.1, in at least three of the sludge drying beds at the facility.
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NOW THEREFORE, BE IT ORDERED BY THE COMMISSION that, based

NOW THEREFORE, BE IT ORDERED BY THE COMMISSION that, based upon the above-noted Findings of Fact and Conclusions of Law, Frisco shall undertake certain actions as follows:

1. Frisco shall pay administrative penalties for past violations in an amount of \$11,040. Said penalties shall be paid to the General Revenue Fund of the State of Texas, and shall be mailed to the Chief Fiscal Officer, Texas Water Commission, "Re: City of Frisco Enforcement Order," P. O. Box 13087, Capitol Station, Austin, Texas 78711-3087. This payment shall be received on or before the thirtieth (30th) day following the date on which this Order is signed. Payment of this administrative penalty, as well as payment of any deferred or stipulated penalty are for violations noted herein. Any violation not specifically addressed in the Preliminary Report, Petition or Order is subject to additional penalties.
2. Effective immediately from the date this Order is issued, the City shall pay stipulated penalties according to the following schedule for occurrences of unauthorized discharges or bypasses of partially treated and/or raw sewage:
 - (a) from the date of the issuance of this Order through April 30, 1991: \$750 per day;
 - (b) from May 1, 1991 through October 31, 1991: \$1500 per day; and
 - (c) from November 1, 1991 through the termination of this Order; \$2500 per day.

The above schedule applies to any single or multiple event unauthorized discharge or bypass (during a 24-hour period) from the City's wastewater collection system, Stewart Creek Treatment Plant, and/or the Cottonwood Creek Treatment Plant. The maximum amount of stipulated penalties for unauthorized discharges or bypasses shall not exceed \$5,000 for any one calendar month.

3. Effective the first full calendar month following the issuance of an Order, the City shall collect a 24-hour composite sample of the Stewart Creek Plant effluent once per week for three (3) consecutive months, and analyze for the following heavy metals in accordance with the appropriate EPA method listed next to each: Arsenic (EPA method 206.2), Cadmium (EPA method 213.2), Chromium (EPA method 218.2), Copper (EPA method 220.2), Lead (EPA method 239.2), Nickel (EPA method 249.2), and Zinc (EPA method 289.2). The City shall submit reports of the results of those analyses within 60 days of the end of the

month during which the samples were taken. At the conclusion of the 3 month sampling period, and after receipt and review of the final heavy metals analyses report, the TWC may (if necessary) contact the City to schedule a meeting between the City, the TWC Permits Section, and the TWC Wastewater Enforcement Section. The purpose of such meeting will be to evaluate and discuss the results of the heavy metals analyses reports, and to determine if Permit No. 10172-01 must be amended to include heavy metals monitoring and/or additional limitations. Should the TWC determine that a permit amendment is necessary, the City shall comply with all requests and/or requirements of the TWC pursuant to having the permit amended.

4. Effective immediately, all sludge generated at the Stewart Creek Treatment Plant shall be analyzed for Arsenic, Cadmium, Chromium, and Lead using the approved testing methods in accordance with 31 TAC Section 335.62 and 40 CFR Part 261. If the analysis shows the sludge to be nonhazardous, then the sludge shall be disposed of in accordance with all applicable rules of the Texas Department of Health and shall comply with the requirements of Permit No. 10172-01. If the analysis shows the sludge to be a hazardous waste, then the sludge shall be disposed of as a Class I hazardous waste. The City shall dispose of all Class I hazardous waste at a TWC authorized disposal facility within ninety (90) days of the date of generation. All disposal activities shall comply with the applicable shipping and manifesting requirements pursuant to 31 TAC Section 335.10. The City shall notify the TWC District 4 Office within 5 days from the time the City becomes aware of any test results that are determined to be hazardous.

The City of Frisco shall not manage sludges evidencing the characteristics of a hazardous waste on-site in waste piles unless or until it has obtained a permit from the TWC authorizing such activities. If hazardous sludges are generated at the Stewart Creek wastewater treatment plant in the future, they shall be managed in accordance with the regulatory requirements set forth in 31 TAC Chapter 335 Subchapters A through C and shall be disposed of at a TWC authorized facility within ninety (90) days of generation and the City of Frisco shall submit proof of proper disposal of all hazardous wastes generated in the future to the TWC District 4 office within thirty (30) days of the date of final disposition.

5. The permittee shall submit a revised Closure Plan to the TWC Hazardous and Solid Waste Enforcement Section which provides for the closure of the sludge drying beds at the Stewart Creek Wastewater Treatment Plant as hazardous waste management units

(surface impoundments) within sixty (60) days of the receipt of the TWC's response to the "Addendum to Closure Plan, Sludge Drying Beds, Stewart Creek Wastewater Treatment Plant, Frisco, Texas" dated August 22, 1990 which formally requests the submission of a Closure Plan to address closure of this unit as a hazardous waste management unit. This revised Closure Plan shall meet the requirements set forth in 31 TAC §335.8 and 40 CFR Part 265 Subparts G and K and shall contain a schedule for implementation of closure activities not to exceed 180 days from the date of receipt of approval and/or modification of such plan from the Executive Director. The permittee shall implement the revised Closure Plan in accordance with the schedules set forth therein, as approved and/or modified by the Executive Director, upon receipt of its written approval.

6. The permittee shall aggressively enforce its industrial waste ordinance to prevent/eliminate recurring permit non-compliances. The permittee shall submit quarterly summary reports which describe monitoring activities performed and enforcement action taken for violations of the ordinance. The first report shall be accompanied by a list of major industries served and sources of waste discharged by each. The reports are due 25 days following the end of each calendar quarter.
7. By no later than December 23, 1991, the permittee shall have completed construction of, and placed in service the proposed Stewart Creek West Wastewater Treatment Plant and pipeline/interceptor. The permittee shall have secured the approval of the plans and specifications for the proposed plant from the TWC Plans and Specifications Review Section, and shall have received a permit (or other TWC approval) prior to commencement of construction. The permittee shall pay stipulated penalties in the amount of \$50 for each day following the permittee's failure to comply with the construction deadline specified herein.
8. The permittee shall develop and implement a water conservation/retrofit program designed to reduce rates of wastewater inflow to the permittee's plant. Accordingly:
 - (a) the permittee shall submit to the Executive Director for review, possible modification, and approval, a water conservation/retrofit program within one hundred-eighty (180) days from the date this Order is issued; and

(b) the permittee shall implement such water conservation/retrofit program within ninety (90) days from the date of the Executive Director's approval of the program.

9. The permittee shall, upon the occasion of the second regular billing of its sewage treatment plant customers, but in any event not more than 60 days after the issuance of this Order, include with each bill, notification to the effect that the Commission has imposed an administrative penalty on the permittee for alleged water pollution due to alleged maintenance deficiencies of the City's sewage collection system, that the permittee admits no liability but has agreed to pay administrative penalties in the amount of \$11,040, and has agreed to abide by the Commission Order requiring improved operation and maintenance of the City's sewage collection system and wastewater treatment plants, and to comply with the proposed "Stewart Creek West Plant" construction schedule.
10. Whenever flow measurements at any of the City's sewage treatment facilities reach 75 percent of the permitted average flow for three consecutive months, the City shall initiate engineering and financial planning for expansion and/or upgrading of the wastewater treatment and/or collection facilities. Whenever the average daily flow reaches 90 percent of the permitted average daily flow for three consecutive months, the City shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment facilities. In the case of a wastewater treatment facility which reaches 75 percent of the permitted average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director. If in the judgment of the Executive Director the population to be served or the quantity of waste produced will not cause permit noncompliance, then the requirements of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Water Quality Division, or his or her designee, and such waiver of these requirements will be reviewed upon expiration of the existing permit. However, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.
11. The City shall prepare monthly reports setting forth any violations which are covered by stipulated penalty provisions

herein and calculating the stipulated penalties that the City is required to pay for such violations. Monthly reports shall be submitted no later than 30 days following each monthly reporting period to the Enforcement Section of the Commission's Water Quality Division. No report is required if no violations of stipulated penalty provisions occurred during the reporting period. The Enforcement Section shall review the report for the purpose of verifying the violations and penalty computations. If the Enforcement Section disputes any report by the City concerning violations and/or penalty computations, it shall notify the City in writing of this fact and the reasons for refusal to verify the report. The City and the Executive Director shall attempt to resolve any disputed issues on an informal basis. Should informal consultations fail to resolve the dispute, either party is entitled to a hearing before the Commission, after notice to the other party and to the Public Interest Counsel. Stipulated penalties shall be paid to "The General Revenue Fund of the State of Texas," and payment shall be mailed to the Chief Fiscal Officer, Texas Water Commission, "Re: City of Frisco Enforcement Order," P.O. Box 13087, Capitol Station, Austin, Texas 78711-3087, within 30 days from the date on which the monthly report is submitted.

12. Nothing in this Order shall preclude the Executive Director from pursuing additional penalties, and nothing in this Order shall preclude the Commission from issuing additional Orders assessing administrative penalties and requiring certain actions of the City of Frisco pursuant to 31 TAC Chapter 335.
13. This Order shall expire three years from the date it is issued, contingent upon compliance with all of the terms and conditions of this Order to the satisfaction of the Executive Director.
14. The Chief Clerk shall forward copies of this Order to all parties.

ISSUED:

TEXAS WATER COMMISSION

B. J. Wynne III, Chairman

ATTEST:

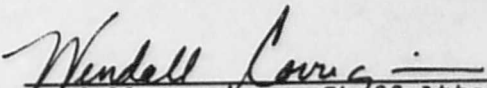
Brenda Foster, Chief Clerk

CERTIFICATE OF SERVICE

I hereby certify that on this the 4th day of December, 1991, the foregoing and "Petition for Order Assessing Administrative Penalties and Requiring Certain Actions of the City of Frisco," "Executive Director's Preliminary Report," and proposed Order" were hand-delivered to the Chief Clerk of the Texas Water Commission in the Stephen F. Austin Building, Austin, Texas.

I further certify that on this day true and correct copies of the foregoing were mailed via Certified Mail, Return Receipt Requested, to The Honorable Randy Elliott, City of Frisco, P.O. Box 177, Frisco, Texas 75034.

I further certify that on this day copies of the foregoing were delivered to Ms. Cynthia Hayes, Public Interest Counsel of the Texas Water Commission, in the Stephen F. Austin Building, Austin, Texas.


Wendall Corrigan, Staff Attorney
Legal Division

I, the undersigned, have read and understand the attached Enforcement Order. I understand that it is an Order which does not constitute an admission by either party of the facts alleged in the enforcement action giving rise to this Order, but does not constitute a waiver of the right to appeal. I am authorized to agree to the attached Enforcement Order on behalf of the entity indicated below my signature, and do hereby agree to the terms and conditions set forth therein.

Allen Beinke
Executive Director
Texas Water Commission

Date: _____

Authorized Representative
City of Frisco

Date: _____

Legend:

E:Effective of Permit
 R:Hearing Requested
 D:Denied
 H:Hearing
 X:Expiration of Permit
 G:Granted
 P:Prehearing Conference
 A:Appealed

PENDING EVIDENTIARY HEARINGS

PERMITTEE PERMIT #	FACILITY TYPE/SIC/ MAJOR (M)	CHRONO- LOGICAL HISTORY	PERMIT ISSUES	STATUS
City of Frisco Frisco, TX TX0027715 Engineer:Larsen Attorney:Mack EH-6-91-15	4952/	E:11-06-90 X:11-05-95 R:11-05-90 A:06-26-91	Modify biomonitoring requirements to allow the city to utilize an EPA acceptable alternate invertebrate species for the test. Modify biomonitoring requirements to allow the city to apply biomonitoring to protect Lake Lewisville using tests that provide sufficient dilution to eliminate TDS interference. Add a provision which would provide for discontinuing the TRE if the effluent ceases to induce toxicity.	As of 11-29-91 Denial ltr fwded to city 5-23-91. Notice of Appeal & Petition for Review filed 6-26-91. Response to Petition for Review filed 8-21-91. Awaiting CJOs decision.

1. ~~2. AO & AG m...~~
 3. DMF's
 4. Vio. Sum. ltr
 5. ~~6. Correspondence~~
 7. ~~8. CJOs~~
 9. ~~10. Data filed~~
 11. ~~12. CJOs~~

(2) SH
RF

Permit No. TX0027715
(Ref. TWC Permit No. 10172-01)

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended by the Water Quality Act of 1987 (Public Law No. 100-4, et. seq.), hereinafter called the "Act",

City of Frisco
P.O. Box 177
Frisco, Texas 75034

is authorized to discharge from a facility located 2500 feet south of FM 720 and west of the St. Louis - San Francisco R.R. in Collin County, Texas,

to receiving waters named Stewart Creek; thence to Lewisville Lake in Segment No. 0823 of the Trinity River Basin,

the discharge is located on that water at the following coordinates:

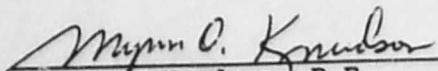
Latitude: 33° 08' 33" N
Longitude: 96° 50' 06" W

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof.

This permit shall become effective on November 6, 1990

This permit and the authorization to discharge shall expire at midnight, November 5, 1995

Signed this 28th day of September 1990


Myron O. Knudson, P.E.
Director
Water Management Division (6W)

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Final Effluent Limits

During the period beginning on the effective date of this permit and lasting through date of expiration, the permittee is authorized to discharge from outfall serial number 001.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristics	Discharge Limitations			
	30-day Avg. Kg/day (Lbs/day)	30-day Avg.	7-day Avg.	Daily Max.
Flow	N/A	*	*	N/A
Biochemical				
Oxygen Demand (5-day)	45(100)	20 mg/l	30 mg/l	N/A
Total Suspended Solids	45(100)	20 mg/l	30 mg/l	N/A
Ammonia-Nitrogen	23(50)	10 mg/l	15 mg/l	N/A
Dissolved Oxygen (Minimum)	N/A	4 mg/l	N/A	N/A
Lead, Total	1.3(2.9)	574 ug/l	N/A	1214 ug/l

The effluent shall contain a total residual chlorine (TRC) of at least 1.0 mg/l, prior to final dechlorination and disposal, after a detention time of at least 20 minutes (based on peak flow). The TRC in the chlorinated effluent shall be monitored daily by grab sample.

After dechlorination and prior to final disposal, the effluent shall contain NO MEASURABLE total residual chlorine (TRC) at any time. NO MEASURABLE will be defined as less than 0.1 mg/l of chlorine. The maximum TRC in the dechlorinated effluent shall be monitored daily by grab sample.²

Effluent Characteristics	Monitoring Requirements	
	Measurement Frequency	Sample Type
Flow ¹	Continuous	Totalizing Meter
Biochemical		
Oxygen Demand (5-day)	One/week	6-hr Composite
Total Suspended Solids	One/week	6-hr Composite
Ammonia-Nitrogen	One/week	6-hr. Composite
Dissolved Oxygen	One/week	Grab
Lead, Total	One/week	6-hr. Composite

Effluent CharacteristicsMonitoring RequirementsToxicity Testing³48-hr. Static Renewal

<u>Measurement</u>	<u>Sample</u>
<u>Frequency</u>	<u>Type</u>

Daphnia pulex

One/Quarter

24-Hr. Composite

Pimephales promelas

One/Quarter

24-Hr. Composite

Footnotes

1. Flow must be monitored and reported.
2. The limitation for maximum TRC in the dechlorinated effluent shall be effective following completion of dechlorination facilities, but no later than March 1, 1992. See Part I.B.
3. See Part II, Section B, Acute Biomonitoring Requirements: Freshwater

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored by grab samples collected at the frequency shown above for Total Suspended Solids.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge from the final treatment unit except the sample requiring a minimum chlorine residual which shall be collected prior to dechlorination.

SECTION B. COMPLIANCE SCHEDULE(S)1. DECHLORINATION COMPLIANCE SCHEDULE

- A. The permittee shall achieve compliance with the TRC limitations specified for effluent after dechlorination and prior to disposal in accordance with the following schedule for the construction of dechlorination facilities.

ACTIVITYDATE OF COMPLETION

Completion of plans and specifications	07/31/91
Begin Construction	10/31/91
Complete Construction	01/31/92
Attain Compliance	03/01/92

1. The permittee shall continue ongoing construction of dechlorination facilities designed to achieve sustained compliance with TRC limitations specified for effluent after dechlorination and prior to disposal no later than March 1, 1992.
 2. The permittee shall submit a progress report outlining the status of all facility improvements during the months of January, April, July, and October until compliance is achieved.
 3. Within 14 days of completion of the dechlorination facilities the permittee shall notify the EPA and the State Agency in writing that construction has been completed.
 4. The permittee shall achieve sustained compliance with TRC limitations specified for effluent after dechlorination and prior to disposal.
- B. Where the percent project completion reported is less than would be required to assure completion of construction by the required date, the report of progress shall also include an explanation for this delay and proposed remedial actions.
- C. No later than 14 calendar days following a date for a specific action (as opposed to a report of progress) identified in the above schedule of compliance, the permittee shall submit a written notice of compliance or noncompliance.

SECTION C. MONITORING AND REPORTING

1. The permittee shall effectively monitor the operation and efficiency of all treatment and control facilities and the quantity and quality of the treated discharge.
2. Monitoring information required shall be submitted on Discharge Monitoring Report Form EPA 3320-1 as required in Part III, D.4.
 - a. Reporting periods shall end on the last day of the month.

- b. The first Discharge Monitoring Report(s) shall represent facility operations from the effective date of the permit through the last day of the month.
 - c. Thereafter, the permittee is required to make regular monthly reports as described above and shall submit those reports no later than the 25th day of the month following each reporting period.
3. If any 7-day average or daily maximum value exceeds the effluent limitations specified in Part I.A., the permittee shall report the excursion in accordance with the requirements of Part III, D.
4. Any 30-day average, 7-day average or daily maximum value reported in the required Discharge Monitoring Report which is in excess of the effluent limitation specified in Part I, A. shall constitute evidence of violation of such effluent limitation and of this permit.
5. Other measurements of oxygen demand (e.g., TOC and COD) may be substituted for five-day Biochemical Oxygen Demand (BOD5) or for five-day Carbonaceous Biochemical Oxygen Demand (CBOD5), as applicable, where the permittee can demonstrate long-term correlation of the method with BOD5 or CBOD5 values, as applicable. Details of the correlation procedures used must be submitted and prior approval granted by the permitting authority for this procedure to be acceptable. Data reported must also include evidence to show that the proper correlation continues to exist after approval.

- b. The first Discharge Monitoring Report(s) shall represent facility operations from the effective date of the permit through the last day of the month.
- c. Thereafter, the permittee is required to make regular monthly reports as described above and shall submit those reports no later than the 25th day of the month following each reporting period.

3. If any 7-day average or daily maximum value exceeds the effluent limitations specified in Part I.A., the permittee shall report the excursion in accordance with the requirements of Part III, D.

4. Any 30-day average, 7-day average or daily maximum value reported in the required Discharge Monitoring Report which is in excess of the effluent limitation specified in Part I, A. shall constitute evidence of violation of such effluent limitation and of this permit.

5. Other measurements of oxygen demand (e.g., TOC and COD) may be substituted for five-day Biochemical Oxygen Demand (BOD5) or for five-day Carbonaceous Biochemical Oxygen Demand (CBOD5), as applicable, where the permittee can demonstrate long-term correlation of the method with BOD5 or CBOD5 values, as applicable. Details of the correlation procedures used must be submitted and prior approval granted by the permitting authority for this procedure to be acceptable. Data reported must also include evidence to show that the proper correlation continues to exist after approval.

SECTION A. OTHER REQUIREMENTS

1. CONTRIBUTING INDUSTRIES AND PRETREATMENT REQUIREMENTS

a. The following pollutants may not be introduced into the treatment facility:

1. Pollutants which create a fire or explosion hazard in the publicly owned treatment works (POTW);
2. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, unless the works are specifically designed to accommodate such discharges;
3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW, resulting in interference;
4. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;

5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 degrees Centigrade (104 degrees Fahrenheit) unless the Approval Authority, upon request of the POTW, approves the alternate temperature limit.

b. The permittee shall comply with the pretreatment requirements in 40 CFR 403, as specified in the following schedule of compliance. The final approvable package is due 12 months from the effective date of the permit.

ACTIVITY NUMBER	ACTIVITY	DATE
1.	Submit to the Environmental Protection Agency results of an industrial user survey which consists of a qualitative analysis of pollutants being contributed by all industrial sources in its entire municipal system (including all treatment plants). The industrial users should be asked to provide information on the type and approximate quantity of pollutants discharged into the system. This information may be derived from knowledge of the facility's process, and should not require any sampling at	2 months from the effective date of permit

the source. (Unless the Permitting Authority notifies the permittee otherwise within 30 days after receipt of this survey, the permittee will be required to continue the program past Activity No. 1. If notified that a pretreatment program is not necessary, the permittee will submit to the Environmental Protection Agency an update of its industrial user survey, documenting changes in industrial flow and/or characteristics and new contributing industries when next reapplying for this NPDES permit.)

2. Submit to the Environmental Protection Agency the results of an influent pollutant scan of a 24-hour composite sample to determine all pollutants being contributed to the system. The type of scan to be performed is the basic priority pollutant scan of the 126 "priority pollutants" plus any other additional pollutants designated in your State Water Quality Standards. All sampling, analyses and method detection limits must be done in accordance with 40 CFR Part 136. This scan will also serve as the initial scan necessary for developing technically based local limits (Activity 5 as follows)
 - (a) From the qualitative information supplied by the industrial users in Activity 1 and the quantitative information collected in the pollutant scan, the permittee shall determine which industrial users may be discharging pollutants which may affect the operation of the POTW(s) or pass through untreated.
 - (b) Sampling and analysis to quantify the pollutants discharged by the industrial users identified in the investigation of (a) above, shall be completed.
3. Submit to the Environmental Protection Agency a design of a sampling, inspection and reporting program which will implement the requirements of 40 CFR 403.8 and 403.12, and in particular those requirements referenced in 40 CFR 403.8(f)(1)(iv-v), 403.8(f)(2)(iv-vi) and 403.12(g-j and l-o).

4 months from the effective date of permit

5 months from the effective date of permit

4. Submit to the Environmental Protection Agency an evaluation of the financial programs, revenue sources, equipment and staffing, which will be employed to implement the pretreatment program (as required by 40 CFR Parts 403.8(f)(3) and 403.9(b)(3)). 6 months from the effective date of permit
5. Submit to the Environmental Protection Agency an approvable technically based local limits submission package as required by 40 CFR 403.8(f)(4). Technically based local limits should be developed in accordance with Region 6 Guidance for the Development of Technically Based Local Limits. 9 months from the effective date of permit
6. 40 CFR 403.8(f)(1) requires POTWs to apply and enforce the requirements of sections 307(b) and (c), and 402(b)(8) of the Act and any regulations implementing those sections. Submit to the Environmental Protection Agency:
 - (a) a statement from the city solicitor, a city official acting in a comparable capacity, or the city's independent counsel, that the POTW has the authority to carry out the program;
 - (b) a copy of any statute, ordinance, regulation, contract, agreement, or other authority that will be relied on by the POTW to administer the program;
 - (c) a statement reflecting the endorsement of or approval by the local boards or bodies responsible for supervising and/or funding the program; and
 - (d) any additional documents required in multi-jurisdictional situations for administration of the program.10 months from the effective date of permit
7. Submit to the Environmental Protection Agency an approvable pretreatment program (and removal credit approval, if desired and appropriate) as required by 40 CFR 403.9. The approvable pretreatment program shall include a compilation of all previously submitted pretreatment program activities as finally amended and supplemented (i.e. Activities 1-6). 12 months from the effective date of permit

Upon notification by Environmental Protection Agency of approvability of the submitted program, the permittee is required to submit an

official request for program approval, including three (3) copies of the program deemed to be approvable.

- c. If the permittee does not comply with any of the increments of the progress in the above schedule, the permittee shall submit to Environmental Protection Agency within 14 days of the activity due date a report, including, as a minimum, the date on which the required activity will be submitted, the reason for the delay, and the steps taken to return to the established schedule.
- d. Upon approval by the Water Management Division Director of a local pretreatment program, this permit will be modified, or, alternatively, revoked and reissued to incorporate that pretreatment program.
- e. The permittee may develop and submit an approvable pretreatment program at any time before the deadline established in Activity 7.
- f. The permittee may apply for authority to revise categorical pretreatment standards to reflect POTW removal of pollutants in accordance with the requirements of 40 CFR 403.7 at any time.
- g. The permittee shall require any indirect discharger to the treatment works to comply with the reporting requirements of Sections 204(b), 307, and 308 of the Act, including any requirements established under 40 CFR Part 403.
- h. The permittee shall provide adequate notice of the following:
 - 1. Any new introduction of pollutants into the treatment works from an indirect discharger which would be subject to Sections 301 and 306 of the Act if it were directly discharging those pollutants; and
 - 2. Any substantial change in the volume or character of pollutants being introduced into the treatment works.

Adequate notice shall include information on (i) the quality and quantity of effluent to be introduced into the treatment works, and (ii) any anticipated impact of such change in the quality or quantity of effluent to be discharged from the publicly owned treatment works.

official request for program approval, including three (3) copies of the program deemed to be approvable.

- c. If the permittee does not comply with any of the increments of the progress in the above schedule, the permittee shall submit to Environmental Protection Agency within 14 days of the activity due date a report, including, as a minimum, the date on which the required activity will be submitted, the reason for the delay, and the steps taken to return to the established schedule.
- d. Upon approval by the Water Management Division Director of a local pretreatment program, this permit will be modified, or, alternatively, revoked and reissued to incorporate that pretreatment program.
- e. The permittee may develop and submit an approvable pretreatment program at any time before the deadline established in Activity 7.
- f. The permittee may apply for authority to revise categorical pretreatment standards to reflect POTW removal of pollutants in accordance with the requirements of 40 CFR 403.7 at any time.
- g. The permittee shall require any indirect discharger to the treatment works to comply with the reporting requirements of Sections 204(b), 307, and 308 of the Act, including any requirements established under 40 CFR Part 403.
- h. The permittee shall provide adequate notice of the following:
 - 1. Any new introduction of pollutants into the treatment works from an indirect discharger which would be subject to Sections 301 and 306 of the Act if it were directly discharging those pollutants; and
 - 2. Any substantial change in the volume or character of pollutants being introduced into the treatment works.

Adequate notice shall include information on (i) the quality and quantity of effluent to be introduced into the treatment works, and (ii) any anticipated impact of such change in the quality or quantity of effluent to be discharged from the publicly owned treatment works.

The permittee shall prepare an annual report on the results of all sludge toxicity testing during the previous twelve months. This annual report shall be submitted to the permitting agency during the month of October, as an attachment to the Discharge Monitoring Report.

e. Sewage Sludge Management Practices

1. Disposal of sewage sludge shall not cause a discharge to waters of the United States or cause non-point source pollution of waters of the United States.
2. Disposal of sewage sludge shall not cause any underground drinking water source to exceed the limitations in 40 CFR 257, Appendix I.
3. Disposal of sewage sludge shall not cause or contribute to the taking of any endangered or threatened species of plant, fish or wildlife.
4. Disposal of sewage sludge shall not result in the destruction or adverse modification of the critical habitat of endangered or threatened species.
5. Disposal of sewage sludge in a floodplain shall not restrict the flow of the base flood, reduce the temporary storage capacity of the floodplain, or result in a washout of solid waste, so as to pose a hazard to human life, wildlife or land and water uses.

- f. The permittee shall give 120 days prior notice to the Director of any change planned in the sewage sludge disposal practice.

3. MIXING ZONE DEFINITION.

There is no mixing zone established for this discharge to an intermittent stream. Acute toxic criteria apply at the point of discharge.

SECTION B. ACUTE BIOMONITORING REQUIREMENTS: FRESHWATER

1. The provisions of this section apply to Outfall(s) 001.
2. The permittee shall test the effluent for toxicity in accordance with the provisions in this section. Such testing will determine if an appropriately dilute effluent sample affects the survival of the appropriate test organism.

The permittee shall prepare an annual report on the results of all sludge toxicity testing during the previous twelve months. This annual report shall be submitted to the permitting agency during the month of October, as an attachment to the Discharge Monitoring Report.

e. Sewage Sludge Management Practices

1. Disposal of sewage sludge shall not cause a discharge to waters of the United States or cause non-point source pollution of waters of the United States.
2. Disposal of sewage sludge shall not cause any underground drinking water source to exceed the limitations in 40 CFR 257, Appendix I.
3. Disposal of sewage sludge shall not cause or contribute to the taking of any endangered or threatened species of plant, fish or wildlife.
4. Disposal of sewage sludge shall not result in the destruction or adverse modification of the critical habitat of endangered or threatened species.
5. Disposal of sewage sludge in a floodplain shall not restrict the flow of the base flood, reduce the temporary storage capacity of the floodplain, or result in a washout of solid waste, so as to pose a hazard to human life, wildlife or land and water uses.

- f. The permittee shall give 120 days prior notice to the Director of any change planned in the sewage sludge disposal practice.

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There is no mixing zone established for this discharge to an intermittent stream. Acute toxic criteria apply at the point of discharge.

SECTION B. ACUTE BIOMONITORING REQUIREMENTS: FRESHWATER

1. The provisions of this section apply to Outfall(s) 001.
2. The permittee shall test the effluent for toxicity in accordance with the provisions in this section. Such testing will determine if an appropriately dilute effluent sample affects the survival of the appropriate test organism.

5. Flow-weighted 24-hour composite samples representative of the dry weather flows during normal operation will be collected from Outfall(s) 001. The 24-hour composite sample consists of a minimum of twelve (12) effluent portions collected at equal time intervals and combined proportional to flow or a sample continuously collected proportional to flow over a 24-hour operating day.

The maximum holding time for any effluent sample shall not exceed 72 hours. The toxicity tests shall be initiated within 36 hours of the collection of the first 24-hour composite sample. The permittee shall collect a second 24-hour composite sample for use during the 24-hour renewal of the test solutions. Samples shall be chilled to 4 degrees centigrade when collected, shipped, and/or stored.

6. The toxicity tests specified above shall be conducted once per quarter.

7. Special Conditions

- a. If any toxicity test at the 100% effluent concentration demonstrates toxicity, the permittee shall resample and again conduct the toxicity test(s) for the species that showed toxicity within fifteen (15) days. There shall be a total of three (3) consecutive toxicity tests during a forty-five (45) day period. If one or more of the retests show toxicity at the 100% effluent concentration, the permittee may suspend additional retesting for this reporting period if written notification is sent to EPA Region 6 and all test results are submitted within fifteen (15) days.
- b. If the testing frequency in item 6, above, is monthly, the permittee may substitute the retest for the next monthly routine toxicity test if the time of the retest coincides with the next monthly toxicity test. Concurrently with the retest, the permittee must also conduct the next month's required toxicity test for the species that did not demonstrate significant toxicity at the 100% effluent concentration.
- c. Within thirty (30) days after submitting the test results which demonstrate toxicity in one or more of the retests, the permittee shall submit to EPA Region 6 an approvable proposal for conducting a Toxicity Reduction Evaluation (TRE). The TRE Proposal shall specify the approach and methodology to be used in performing the TRE. The proposal shall specify the date which the permittee will initiate the TRE.

- d. If any retest in item 7.a indicates toxicity at the 100% effluent concentration, the permittee shall continue biomonitoring once per month for the toxicity test(s) showing toxicity using the same procedures as specified in items 2-5 above until the expiration date of this permit unless otherwise authorized by the permitting authority.
 - e. The provisions of items 7.a and 7.c are suspended upon submittal of the TRE Proposal.
8. If the toxicity tests for an organism do not indicate toxicity at the 100% effluent concentration during the first year, the permittee shall certify this information in writing to EPA Region 6, and the biomonitoring requirements for that organism shall expire.
9. The permittee shall prepare a full report of the results according to the Report Preparation Section of "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms". This full report must be submitted with the first DMR containing these biomonitoring results, but need not be submitted with subsequent DMRs, unless requested. However, the report shall be retained following the provisions of Part III.C.3 of this permit. The permittee shall submit the toxicity testing information contained in Table 1 of this permit to EPA Region 6 along with the DMR submitted for the end of the reporting period following the toxicity test.
10. This permit may be reopened to require effluent limits, additional testing, and/or other appropriate actions to address toxicity. Accelerated or intensified toxicity testing may be required in accordance with Section 308 of the Clean Water Act.

TABLE 1 (SHEET 1 OF 2)

Permittee: City of Frisco
 NPDES Permit: TX0027715
 Outfall(s): 001

DAPHNIA PULEX SURVIVAL

Date Composites Collected:

No. 1: FROM _____ TO _____
 No. 2: FROM _____ TO _____

Test initiated: _____ am/pm _____ date

Dilution water used: _____ Receiving water _____ Reconstituted water

Time of Reading	REP	Percent Effluent (%)					
		0	6%	13%	25%	50%	100%
24 hr.	A						
	B						
48 hr.	A						
	B						

1. Dunnett's Procedure or Steel's Many-One Rank Test as appropriate - Low Flow Toxicity

Is the mean survival at 48 hours significantly less ($p=0.05$) than the control survival at the low flow or critical dilution(100%)? _____ YES _____ NO

If you report NO, enter a 0 on the DMR Form, Parameter No. TEM3D. Otherwise, enter a 1.

2. Enter percent effluent corresponding to the LC50 below:

LC50 (Daphnia) = _____ % effluent

95% confidence limits: _____

Method of LC50 calculation: _____

TABLE 1 (SHEET 2 OF 2)

Permittee: City of Frisco
 NPDES Permit: TX0027715
 Outfall(s): 001

FATHEAD MINNOW SURVIVAL
 (*Pimephales promelas*)

Date Composites Collected: No. 1: FROM _____ TO _____
 No. 2: FROM _____ TO _____

Test initiated: _____ am/pm _____ date

Dilution water used: _____ Receiving water
 _____ Reconstituted water

Percent Effluent (%)

Time of Reading	REP	0	6%	13%	25%	50%	100%
24 hr.	A						
	B						
48 hr.	A						
	B						

3. Dunnett's Procedure or Steel's Many-One Rank Test as appropriate - Low Flow Toxicity

Is the mean survival at 48 hours significantly less ($p=0.05$) than the control survival at the low flow or critical dilution (100%)? _____ YES _____ NO

If you report NO, enter a 0 on the DMR Form, Parameter No. TEM6C. Otherwise, enter a 1.

4. Enter percent effluent corresponding to the LC50 below:

LC50 (*Pimephales*) = _____ % effluent

95% confidence limits: _____

Method of LC50 calculation: _____

PART III
STANDARD CONDITIONS FOR NPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. **Introduction**
 In accordance with the provisions of 40 CFR Part 122.41, et. seq., this permit incorporates by reference ALL conditions and requirements applicable to NPDES Permits set forth in the Clean Water Act, as amended, (hereinafter known as the "Act") as well as ALL applicable regulations.
2. **Duty to Comply**
 The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
3. **Toxic Pollutants**
 - a. Notwithstanding Part III.A.5, if any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.
 - b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Act for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
4. **Duty to Reapply**
 If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR Part 122.6 and any subsequent amendments.
5. **Permit Flexibility**
 This permit may be modified, revoked and reissued, or terminated for cause in accordance with 40 CFR 122.62-64. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
6. **Property Rights**
 This permit does not convey any property rights of any sort, or any exclusive privilege.
7. **Duty to Provide Information**
 The permittee shall furnish to the Director, within a reasonable time, any information which the Director may

request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

8. **Criminal and Civil Liability**
 Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to 18 U.S.C. Section 1001.
9. **Oil and Hazardous Substance Liability**
 Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.
10. **State Laws**
 Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.
11. **Severability**
 The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

SECTION B. PROPER OPERATION AND MAINTENANCE

1. **Need to Halt or Reduce not a Defense**
 It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators or retention of inadequately treated effluent.
2. **Duty to Mitigate**
 The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

PART III
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 - b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Act for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
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 If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR Part 122.6 and any subsequent amendments.
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 This permit may be modified, revoked and reissued, or terminated for cause in accordance with 40 CFR 122.62-64. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
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 This permit does not convey any property rights of any sort, or any exclusive privilege.
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 The permittee shall furnish to the Director, within a reasonable time, any information which the Director may

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 Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to 18 U.S.C. Section 1001.
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 Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.
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11. **Severability**
 The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

SECTION B. PROPER OPERATION AND MAINTENANCE

1. **Need to Halt or Reduce not a Defense**
 It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators or retention of inadequately treated effluent.
2. **Duty to Mitigate**
 The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.

4. Record Contents

Records of monitoring information shall include:

- The date, exact place, and time of sampling or measurements;
- The individual(s) who performed the sampling or measurements;
- The date(s) and time(s) analyses were performed;
- The individual(s) who performed the analyses;
- The analytical techniques or methods used; and
- The results of such analyses.

5. Monitoring Procedures

- Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit or approved by the Regional Administrator.
- The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.
- An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory.

6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.

SECTION D. REPORTING REQUIREMENTS

1. Planned Changes

a. Industrial Permits

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b); or,
- The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to

notification requirements listed at Part III.D.10.a.

b. Municipal Permits

Any change in the facility discharge (including the introduction of any new source or significant discharge or significant changes in the quantity or quality of existing discharges of pollutants) must be reported to the permitting authority. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

4. Discharge Monitoring Reports and Other Reports

Monitoring results must be reported on Discharge Monitoring Report (DMR) Form EPA No. 3320-1 in accordance with the "General Instructions" provided on the form. The permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA at the address below. Duplicate copies of DMR's and all other reports shall be submitted to the appropriate State agency(ies) at the following address(es):

EPA:

Water Management Division
Enforcement Branch (6W-E)
U.S. Environmental Protection
Agency, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

New Mexico:

Program Manager
Surface Water Section
Surface Water Quality Bureau
Environmental Improvement Division
New Mexico Health and
Environment Department
1190 Saint Francis Drive
Santa Fe, NM 87503

Oklahoma (Industrial Permits):
Director
Oklahoma Water Resources Board
P.O. Box 53585
Oklahoma City, OK 73152-3585

Louisiana:

Assistant Secretary for Water
Water Pollution Control Division
Louisiana Department of
Environmental Quality
P.O. Box 44091
Baton Rouge, LA 70804-4091

information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.

4. Record Contents

Records of monitoring information shall include:

- The date, exact place, and time of sampling or measurements;
- The individual(s) who performed the sampling or measurements;
- The date(s) and time(s) analyses were performed;
- The individual(s) who performed the analyses;
- The analytical techniques or methods used; and
- The results of such analyses.

5. Monitoring Procedures

- Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit or approved by the Regional Administrator.
- The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.
- An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory.

6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.

SECTION D. REPORTING REQUIREMENTS

1. Planned Changes

a. Industrial Permits

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b); or,
- The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to

notification requirements listed at Part III.D.10.a.

b. Municipal Permits

Any change in the facility discharge (including the introduction of any new source or significant discharge or significant changes in the quantity or quality of existing discharges of pollutants) must be reported to the permitting authority. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

4. Discharge Monitoring Reports and Other Reports

Monitoring results must be reported on Discharge Monitoring Report (DMR) Form EPA No. 3320-1 in accordance with the "General Instructions" provided on the form. The permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D.11 to the EPA at the address below. Duplicate copies of DMR's and all other reports shall be submitted to the appropriate State agency(ies) at the following address(es):

EPA:

Water Management Division
Enforcement Branch (6W-E)
U.S. Environmental Protection
Agency, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

New Mexico:

Program Manager
Surface Water Section
Surface Water Quality Bureau
Environmental Improvement Division
New Mexico Health and
Environment Department
1190 Saint Francis Drive
Santa Fe, NM 87503

Oklahoma (Industrial Permits):
Director
Oklahoma Water Resources Board
P.O. Box 53585
Oklahoma City, OK 73152-3585

Louisiana:

Assistant Secretary for Water
Water Pollution Control Division
Louisiana Department of
Environmental Quality
P.O. Box 44091
Baton Rouge, LA 70804-4091

- (1) The authorization is made in writing by a person described above;
- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or an individual occupying a named position; and,
- (3) The written authorization is submitted to the Director.

c. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

12. Availability of Reports

Except for applications, effluent data, permits, and other data specified in 40 CFR 122.7, any information submitted pursuant to this permit may be claimed as confidential by the submitter. If no claim is made at the time of submission, information may be made available to the public without further notice.

SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

1. Criminal

a. Negligent Violations

The Act provides that any person who negligently violates permit conditions implementing Section 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both.

b. Knowing Violations

The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both.

c. Knowing Endangerment

The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 303, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both.

d. False Statements

The Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or by both. (See Section 309.c.4 of the Clean Water Act)

2. Civil Penalties

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed \$25,000 per day for each violation.

3. Administrative Penalties

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

a. Class I Penalty

Not to exceed \$10,000 per violation nor shall the maximum amount exceed \$25,000.

b. Class II Penalty

Not to exceed \$10,000 per day for each day during which the violation continues nor shall the maximum amount exceed \$125,000.

SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

1. "Act" means the Clean Water Act (33 U.S.C. 1251 et. seq.), as amended.
2. "Administrator" means the Administrator of the U.S. Environmental Protection Agency.
3. "Applicable effluent standards and limitations" means all state and Federal effluent standards and limitations to which a discharge is subject under the Act, including, but not limited to, effluent limitations, standards or performance, toxic effluent standards and prohibitions, and pretreatment standards.
4. "Applicable water quality standards" means all water quality standards to which a discharge is subject under the Act.
5. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
6. "Daily Discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed

rev. 10/1/89

in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day. "Daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be arithmetic average (weighted by flow value) of all samples collected during that sampling day.

7. "Daily Average" (also known as monthly average) discharge limitations means the highest allowable average of "daily discharge(s)" over a calendar month, calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes daily average concentration effluent limitations or conditions, the daily average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily concentration, F = daily flow and n = number of daily samples; daily average discharge =

$$\frac{C_1 F_1 + C_2 F_2 + \dots + C_n F_n}{F_1 + F_2 + \dots + F_n}$$

8. "Daily Maximum" discharge limitation means the highest allowable "daily discharge" during the calendar month.
9. "Director" means the U.S. Environmental Protection Agency Regional Administrator or an authorized representative.
10. "Environmental Protection Agency" means the U.S. Environmental Protection Agency.
11. "Grab sample" means an individual sample collected in less than 15 minutes.
12. "Industrial user" means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.
13. "National Pollutant Discharge Elimination System" means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Act.
14. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
15. "Sewage sludge" means the solids, residues, and precipitates separated from or created in sewage by the unit processes of a publicly owned treatment works. Sewage as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and storm water runoff, that are discharged to or otherwise enter a publicly owned treatment works.
16. "Treatment works" means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances,

extension, improvement, remodeling, additions, and alterations thereof.

17. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
18. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.
19. The term "MGD" shall mean million gallons per day.
20. The term "mg/l" shall mean milligrams per liter or parts per million (ppm).
21. The term "µg/l" shall mean micrograms per liter or parts per billion (ppb).
22. Municipal Terms:

- a. "7-day average", other than for fecal coliform bacteria, is the arithmetic mean of the daily values for all effluent samples collected during a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week. The 7-day average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
- b. "30-day average", other than for fecal coliform bacteria, is the arithmetic mean of the daily values for all effluent samples collected during a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. The 30-day average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.
- c. "24-hour composite sample" consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample collected at frequent intervals proportional to flow over the 24-hour period.
- d. "12-hour composite sample" consists of 12 effluent portions collected no closer together than one hour and composited according to flow. The daily sampling intervals shall include the highest flow periods.
- e. "6-hour composite sample" consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.
- f. "3-hour composite sample" consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROTECTION AGENCY
PERMITS BRANCH (6AEP) REGION VI
FIRST INTL BLDG 1201 ELA ST
DALLAS TEXAS 75270

Permit No. TX0027715

Application No. TX0027715

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U. S. C. 1251 et.seq; the "Act"),


City of Frisco, Texas
(Stewart Creek Plant)

is authorized to discharge from a facility located approximately 2,500 feet south of the intersection of FM 2934 and adjacent to the west side of the St. Louis and San Francisco Railroad southeast of the City of Frisco, Collin County, Texas to receiving waters named Stewart Creek in accordance with effluent limitations, monitoring requirements and other conditions set forth hereinafter.

This permit shall become effective on January 30, 1977

This permit and the authorization to discharge shall expire at midnight, May 31, 1979.

Signed this 29th day of October 1976


John C. White
Regional Administrator

General Conditions

1. Discharge Limitations

a. All discharges authorized herein shall be consistent with the terms and conditions of this permit.

b. The discharge of any pollutant more frequently than, or at a level in excess of, that identified and authorized by this permit, shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act.

c. Facility modifications, additions, and/or expansions that increase the plant capacity must be reported to the permitting authority and this permit then modified or re-issued to reflect such changes.

d. Any change in the facility discharge, including any new significant discharge or significant changes in the quantity or quality of existing discharges to the treatment system that will result in new or increased discharges of pollutants must be reported to the permitting authority. Modifications to the permit may then be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

a. Violation of any terms or conditions of this permit;

b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or

c. A change in any condition that requires either a temporary suspension or permanent elimination of the permitted discharge.

3. This permit shall be revised or modified in accordance with the following circumstances:

a. Modification of Water Quality Standards which affect the conditions of this permit.

b. If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic

General Conditions

1. Discharge Limitations

- a. All discharges authorized herein shall be consistent with the terms and conditions of this permit.
 - b. The discharge of any pollutant more frequently than, or at a level in excess of, that identified and authorized by this permit, shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act.
 - c. Facility modifications, additions, and/or expansions that increase the plant capacity must be reported to the permitting authority and this permit then modified or re-issued to reflect such changes.
 - d. Any change in the facility discharge, including any new significant discharge or significant changes in the quantity or quality of existing discharges to the treatment system that will result in new or increased discharges of pollutants must be reported to the permitting authority. Modifications to the permit may then be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.
2. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
- a. Violation of any terms or conditions of this permit;
 - b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - c. A change in any condition that requires either a temporary suspension or permanent elimination of the permitted discharge.
3. This permit shall be revised or modified in accordance with the following circumstances:
- a. Modification of Water Quality Standards which affect the conditions of this permit.
 - b. If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic

pollutant which is present in the discharge authorized herein and such standard or prohibition is more stringent than any limitation upon such pollutant in this permit.

4. The permittee shall allow the head of the State water pollution control agency, the Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises or other premises under the control of the permittee, where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit;
 - b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit, or the Act;
 - c. To inspect at reasonable times any monitoring equipment or monitoring method required in this permit;
 - d. To sample at reasonable times any discharge of pollutants; or
 - e. To perform at reasonable times an operation and maintenance inspection of the permitted facility.
5. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations; nor does it obviate the necessity of obtaining State or local assent required by law for the permitted discharge.
6. This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.
7. This permit does not authorize or approve any agriculture, silviculture, or aquaculture project in connection with wastewater reuse.
8. The Regional Administrator shall from time to time review the terms and conditions of this permit and if in his opinion changes are justified, modification to the permit may then be made in accordance with the appropriate regulation procedure to reflect any necessary changes in permit terms or conditions.

9. Solids Disposal

Collected screenings, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into navigable waters or their tributaries.

10. Electric Power Failure

The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures either by means of alternate power sources, standby generators or retention of inadequately treated effluent. Should the treatment works not include the above capabilities at time of permit issuance, the permittee must furnish within 120 days to the permitting authority, for approval, plans for such facilities and an implementation schedule for their installation.

11. Prohibition of Bypass of Treatment Facilities

The diversion or bypass of any discharge from facilities utilized by the permittee to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the terms and conditions of this permit. The permittee shall within 72 hours notify the permit issuing authority in writing of each such diversion or bypass.

12. Change in Control or Ownership of Facility

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the State water pollution control agency and the Regional Administrator.

13. Severability of Conditions

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

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13. Severability of Conditions

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Special Conditions

1. Effluent Limitations

a. Interim Effluent Limitations

During the period beginning upon the date of issuance and lasting through June 30, 1977, the permittee is authorized to discharge subject to the following effluent limitations:

The arithmetic average of the daily flows of effluent discharged from the wastewater treatment facility for any month shall not exceed 0.3 million gallons per day (mgd). Nor shall the maximum discharge on any given day exceed 0.6 mgd.

	<u>Effluent Concentrations</u>			<u>Effluent Loading</u>
	<u>Unit of Measurement</u>	<u>30-day Average</u>	<u>7-day Average</u>	<u>30-day Average (BOD₅)</u>
Biochemical Oxygen Demand (5-day)....	mg/l	30	45	34 kg/day 75 lbs/day
Suspended Solids..	mg/l	60	90	(TSS)
Fecal Coliform Bacteria.....	Number/100ml	4x10 ⁶	4x10 ⁶	68 kg/day 150 lbs/day

b. Final Effluent Limitations

During the period beginning July 1, 1977 and lasting through the date of expiration, the permittee is authorized to discharge subject to the following effluent limitations:

The arithmetic average of the daily flows of effluent discharged from the wastewater treatment facility for any month shall not exceed 0.1 million gallons per day (mgd). Nor shall the maximum discharge on any given day exceed 0.25 mgd.

	<u>Effluent Concentrations</u>			<u>Effluent Loading</u>
	<u>Unit of Measurement</u>	<u>30-day Average</u>	<u>7-day Average</u>	<u>30-day Average (BOD₅)</u>
Biochemical Oxygen Demand (5-day)....	mg/l	20	30	7.6 kg/day 16.7 lbs/day
Suspended Solids..	mg/l	20	30	(TSS)
Fecal Coliform Bacteria.....	Number/100ml	200	400	7.6 kg/day 16.7 lbs/day

c. The pH of the effluent shall not be less than 6.0 nor greater than 9.0 at any time. The pH limitation is not subject to averaging.

d. The permittee shall not discharge floating solids nor shall the discharge of the effluent result in the existence of visible foam beyond the immediate vicinity of the outfall(s).

2. Monitoring, Recording and Reporting

a. Monitoring - The permittee shall effectively monitor the operation and efficiency of all treatment and control facilities and the quantity and quality of the treated discharge.

(1) Samples for effluent analysis shall be collected immediately following the last treatment unit.

(2) Monitoring shall be in accordance with the following schedule:

<u>Parameter</u>	<u>Units</u>	<u>Frequency</u>	<u>Sample Type</u>
Flow	MGD	two/week	Instantaneous
BOD ₅	mg/l	one/month	Grab
Total Suspended Solids	mg/l	one/month	Grab
pH	Standard Units	one/month	Grab
Fecal Coliform	N/100ml	one/month	Grab

(3) If any 30-day or 7-day average value exceeds the effluent limitations specified in Special Condition No. 1 above, the permittee shall report the excursion to the Regional Administrator within five (5) days.

(4) Any 30-day or 7-day average reported in the required monitoring report, which is in excess of the effluent limitation specified in Special Condition No. 1, shall constitute evidence of violation of such effluent limitation and of this permit.

(5) The Regional Administrator may at his discretion require additional sampling, reporting or monitoring including but not limited to the taking of at least one twenty-four hour composite sample and/or increased frequency of sampling.

b. Recording - The permittee shall make and maintain records of all information resulting from the monitoring activities required by this permit.

(1) Monitoring information required by this permit shall be summarized monthly and recorded on Discharge Monitoring Report Form EPA 3320-1.

(2) The permittee shall record for each measurement or sample taken pursuant to the requirements of this permit the following information: (a) the date, exact place and time of sampling; (b) the dates analyses were performed; (c) who performed the analyses; (d) the analytical techniques or methods used; (e) the results of all required analyses; and (f) the instantaneous flow at grab sample collections.

(3) If the permittee monitors any parameters more frequently than is required by this permit, he shall include the results of such monitoring in the calculation and reporting of the values required in the Discharge Monitoring Report form (EPA Form 3320-1 (10-72)). Such increased frequency shall be indicated on the Discharge Monitoring Report form.

(4) The permittee shall retain for a minimum of three years all records of monitoring activities and results including all records of calibration and maintenance of instrumentation and original recording charts from continuous monitoring instrumentation. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the State water pollution control agency or the Regional Administrator.

c. Reporting - Monitoring information required shall be submitted on Discharge Monitoring Report Form EPA 3320-1. Each quarterly submittal (see next paragraph) shall include separate forms for each month of the reporting period.

(1) Duplicate original Discharge Monitoring Report forms, for each month of the reporting period, properly completed and signed (as per paragraph c below), must be submitted quarterly to:

(a) Texas Water Quality Board
P. O. Box 13246, Cap. Sta.
Austin, Texas 78711

(b) ENVIRONMENTAL PROTECTION AGENCY
PERMITS BRANCH (6AEP) REGION VI
FIRST INTL BLDG 1201 ELM ST
DALLAS TEXAS 75270

(c) Each submitted Discharge Monitoring Report shall be signed by a duly authorized agent of the
City of Frisco, Texas (Stewart Creek Plant)

(d) Reporting periods shall end on the last day of the months March, June, September and December.

(e) The first Discharge Monitoring Report(s) shall represent facility operations from the effective date of the permit through the last day of March, June, September or December, whichever is closer.

(f) Thereafter, the permittee is required to make regular quarterly reports as described above and shall submit those reports to Regional Administrator and the State Water Quality Control Agency, no later than the 28th day of the month following each reporting period.

(2) The minimum and maximum values called for on EPA Form 3320-1 shall be the lowest and highest daily values determined during the month.

(3) Other measurements of oxygen demand (e.g., TOC and COD) may be substituted for five-day Biochemical Oxygen Demand (BOD₅) where the permittee can demonstrate long-term correlation of the method with BOD₅ values. Details of correlation procedures employed must be submitted and prior approval granted by the permitting authority for this procedure to be acceptable. Data reported must also include evidence to show that the proper correlation continues to exist after approval.

(4) All sampling and analytical methods used to meet the monitoring requirements specified above shall (unless otherwise specified by the State water pollution control agency or Regional Administrator) conform to the latest edition of the following references:

(a) Standard Methods for the Examination of Water and Wastewater, American Public Health Association, New York, New York 10019.

(b) A.S.T.M. Standards, Part 23, Water; Atmospheric Analysis, American Society for Testing and Materials, Philadelphia, Pennsylvania 19103.

(c) Methods for Chemical Analysis of Water and Wastes, Environmental Protection Agency Water Quality Office, Analytical Quality Control Laboratory, Cincinnati, Ohio 45268.

(5) The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals frequent enough to insure accuracy of measurements and shall insure that both calibration and maintenance activities will be conducted.

3. Noncompliance with Effluent Limitation

a. If for any reason, other than those specified under General Condition 11 above, the permittee does not comply with or will be unable to comply with any effluent limitation specified in this permit, the permittee shall provide the State water quality agencies and the Regional Administrator with the following information in writing within five days of becoming aware of such condition:

(1) A description of the noncomplying discharge including its impact upon the receiving waters.

(2) Cause of noncompliance.

(3) Anticipated time the condition of noncompliance is expected to continue, or if such condition has been corrected, the duration of the period of noncompliance.

(4) Steps taken by the permittee to reduce and eliminate the noncomplying discharge.

(5) Steps to be taken by the permittee to prevent recurrence of the condition of noncompliance.

b. Permittee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from noncompliance with any effluent limitation specified in this permit.

4. Facility Operation and Quality Control

a. All waste collection, control, treatment and disposal facilities shall be operated in a manner consistent with the following:

(1) At all times, all facilities shall be operated as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants.

(2) The permittee shall provide an adequate operating staff which is duly qualified to carry out the operation, maintenance and testing functions required to insure compliance with the conditions of this permit.

(3) Maintenance of treatment facilities that results in degradation of effluent quality shall be scheduled during noncritical water quality periods and shall be carried out in a manner approved by the permitting authority.

b. The permittee shall submit the following information 90 days from the effective date of the permit to demonstrate the adequacy of present treatment practices:

(1) A schematic drawing of all waste treatment units showing flow pattern; flow (maximum and average) and load capacities of each unit; bypass arrangements (as may exist) and point of discharge.

(2) A location map or drawing showing the latitude-longitude of each discharge point. Identify the receiving streams and the path of flow from those streams to a major waterway.

(3) A design analysis which describes the capability of the existing treatment facilities to produce an effluent which will meet conditions of this permit throughout the term of the permit. This analysis must identify the effluent quality that could reasonably be expected from existing facilities with present loading and projected future loadings at one-year increments. This analysis must also identify any improvements needed in staffing, operation, maintenance or equipment replacement to achieve and maintain compliance, the point in time when the improvements are needed.

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(1) At all times, all facilities shall be operated as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants.

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DEFINITIONS

All definitions contained in Par. 502 of the Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. The term "Act" means the Federal Water Pollution Control Act, as amended, Public Law 92-500 (33 USC 1251 et seq).
2. The term "Environmental Protection Agency" means the U.S. Environmental Protection Agency.
3. The term "Administrator" means the Administrator of the U.S. Environmental Protection Agency.
4. The term "Regional Administrator" means one of the Regional Administrators of the U.S. Environmental Protection Agency.
5. The term "National Pollutant Discharge Elimination System" (hereinafter referred to as "NPDES") means the system for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the navigable water, the contiguous zone, and the oceans, by the Administrator of the Environmental Protection Agency pursuant to section 402 of the Federal Water Pollution Control Act, as amended.
6. The term "applicable effluent standards and limitations" means all State and Federal effluent standards and limitations to which a discharge is subject under the Act, including, but not limited to, effluent limitations, standards of performance, toxic effluent standards and prohibitions, and pretreatment standards.
7. The term "applicable water quality standards" means all water quality standards to which a discharge is subject under the Act and which have been (a) approved or permitted to remain in effect by the Administrator following submission to him pursuant to section 303(a) of the Act, or (b) promulgated by the Administrator pursuant to section 303(b) or 303(c) of the Act.
8. The term "sewage" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes.
9. The term "sewage sludge" shall mean the solids and precipitates separated from wastewater by unit processes.
10. The term "treatment works" means any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature to implement section 201 of the Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers,

DEFINITIONS

All definitions contained in Par. 502 of the Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. The term "Act" means the Federal Water Pollution Control Act, as amended, Public Law 92-500 (33 USC 1251 et seq).
2. The term "Environmental Protection Agency" means the U.S. Environmental Protection Agency.
3. The term "Administrator" means the Administrator of the U.S. Environmental Protection Agency.
4. The term "Regional Administrator" means one of the Regional Administrators of the U.S. Environmental Protection Agency.
5. The term "National Pollutant Discharge Elimination System" (hereinafter referred to as "NPDES") means the system for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the navigable water, the contiguous zone, and the oceans, by the Administrator of the Environmental Protection Agency pursuant to section 402 of the Federal Water Pollution Control Act, as amended.
6. The term "applicable effluent standards and limitations" means all State and Federal effluent standards and limitations to which a discharge is subject under the Act, including, but not limited to, effluent limitations, standards of performance, toxic effluent standards and prohibitions, and pretreatment standards.
7. The term "applicable water quality standards" means all water quality standards to which a discharge is subject under the Act and which have been (a) approved or permitted to remain in effect by the Administrator following submission to him pursuant to section 303(a) of the Act, or (b) promulgated by the Administrator pursuant to section 303(b) or 203(c) of the Act.
8. The term "sewage" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes.
9. The term "sewage sludge" shall mean the solids and precipitates separated from wastewater by unit processes.
10. The term "treatment works" means any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature to implement section 201 of the Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers,

P 834 259 540

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

DEC 16 1988

REPLY TO: 6W-ET

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (P 834 259)

Honorable Randy Elliott
Mayor of Frisco
P.O. Box 118
Frisco, Texas 75034Re: Order for Information Docket No. VI-88-1756
NPDES Permit No. TX0027715

Dear Mayor Elliott:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. 1251 et seq., the Environmental Protection Agency (EPA) has the authority to obtain information pertinent to carrying out its responsibilities under the CWA. Accordingly, the enclosed Order for Information is hereby served on you and the city of Frisco.

Compliance with the provisions of this Order is expected within the maximum time periods established by each part of the Order. Your cooperation and prompt attention will be appreciated. In response hereto, please reference Docket No. VI-88-1756 and your NPDES permit number and send correspondence to the attention of Mr. David Weeks (6W-ET).

It is the policy of EPA to achieve full compliance with the NPDES permit program as rapidly as possible. This office is prepared to help you in any way it can. If you have any questions, please contact Mr. David Weeks, EPA, Dallas, Texas at (214) 655-6475.

Sincerely yours,

/s/ Kenton Kirkpatrick

Myron D. Knudson, P.E.
Director
Water Management Division (6W)

Enclosure

cc: Mr. Ramon Dasch, Section Chief
Wastewater Enforcement
Texas Water Commission

bcc: Gair (EN-338)
Gibson (6W-EA)
Gordon (6W-EAT)
Meacham (6X)
Goetz (6X)
Weeks (6W-ET)
Read File (6W-EA)
Ayers (6E-H)
Bohme (6W-PI)

1 - Permit/CD
2 - AO & AO mod
3 - DMR's
4 - Via. Sum. Log
5 - NCR
6 - Correspondence
7 - CRAS
Date Filed
Clark's Infs.

6W-ET:DWEK:AE07 AEIA:CE:X6475:06/22/88:ADN:12:(04028)

SYMBOL	6W-ET	6W-E	6C-W				
SURNAME	Graham	Hartung	Collins				
DATE	11/11	12/18	12/18				

EPA Form 1320-1 (11-76)

OFFICIAL FILE COPY

*U.S.GPO:1988-0-208-471

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to
Hon. Randy Elliott
Street and No.
P.O. Box 118
P.O. State and ZIP Code
Frisco, Tx. 75034
Postage \$
Certified Fee
Special Delivery Fee
Restricted Delivery Fee
Return Receipt showing
to whom and Date Delivered
Return Receipt showing to whom,
Date, and Address of Delivery
TOTAL Postage and Fees \$
Postmark or Date

PS Form 3800, June 1985

DEC 16 1988

REPLY TO: 6W-ET

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (P 834 251)

Honorable Randy Elliott
Mayor of Frisco
P.O. Box 118
Frisco, Texas 75034

Re: Order for Information Docket No. VI-88-1756
NPDES Permit No. TX0027715

Dear Mayor Elliott:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. 1251 et seq., the Environmental Protection Agency (EPA) has the authority to obtain information pertinent to carrying out its responsibilities under the CWA. Accordingly, the enclosed Order for Information is hereby served on you and the city of Frisco.

Compliance with the provisions of this Order is expected within the maximum time periods established by each part of the Order. Your cooperation and prompt attention will be appreciated. In response hereto, please reference Docket No. VI-88-1756 and your NPDES permit number and send correspondence to the attention of Mr. David Weeks (6W-ET).

It is the policy of EPA to achieve full compliance with the NPDES permit program as rapidly as possible. This office is prepared to help you in any way it can. If you have any questions, please contact Mr. David Weeks, EPA, Dallas, Texas at (214) 655-6475.

Sincerely yours,

/s/ Kenton Kirkpatrick

Myron O. Knudson, P.E.
Director
Water Management Division (6W)

Enclosure

cc: Mr. Ramon Dasch, Section Chief
Wastewater Enforcement
Texas Water Commission

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5 - NCR
6 - Correspondence
7 - CRAS
Date Filed
Clark's Inhs.

6W-ET:DWEKES:AE07 AEIA:CE:X6475:862/88:ADE:12:(04028)

SYMBOL	6W-ET	6W-E	6C-W				
SURNAME	Graham	Hartung	Collins				
DATE	1/1/89	12/2/88	12/2/88				

EPA Form 1320-1 (11-70)

OFFICIAL FILE COPY

* U.S.GPO: 1988-0-208-471

III.

FINDINGS OF FACT

The Stewart Creek Publicly Owned Treatment Works (POTW) receives a substantial amount of flow from three (3) industries subject to Federal Categorical Pretreatment Standards.

In May of 1987 the Permittee received an Enforcement Order from the Texas Water Commission for several violations of the Texas Water Code. The Order required the Permittee to monitor the POTW effluent for Arsenic, Cadmium, Lead, Nickel, and Zinc.

The 40 CFR Part 403.5(B)(c)(2) states "All other POTWs shall in cases where pollutants contributed by User(s) result in Interference or Pass-Through, and such violation is likely to recur, develop and enforce specific effluent limits for Industrial User(s) [IU], and all other users as appropriate, which, together with appropriate changes in the POTW Treatment Plant's facilities or operation, are necessary to ensure renewed and continued compliance with the POTW's NPDES permit or sludge use or disposal practices."

Section 308(a) of the Act [33 U.S.C. § 1318 (a)] provides that:

Whenever required to carry out the objective of this Act, including but not limited to ... determining whether any person is in violation of any ... limitation, prohibition ... or standard of performance ... the Administrator shall require the owner or operator of any point source to ... provide such other information as he may reasonably require

IV.

Issuance of this Order does not preclude the pursuit of additional enforcement action for the violations cited herein, including additional administrative compliance orders, administrative penalty orders, and/or civil or criminal actions.

ORDER

Based on the foregoing FINDINGS OF FACT and pursuant to the authority vested in the Administrator under Section 308(a)(4)(A) of the Act, 33 U.S.C. § 1319 (a)(4)(A), and duly delegated to the Regional Administrator, Region 6, and duly redelegated to the undersigned Director, Water Management Division, Region 6, it is ordered:

A. That the Permittee submit to the EPA a one (1) page abstract of the progress report submitted to the TWC every quarter. This abstract shall include a report of IU compliance or interference problems, sludge disposal practices, construction progress and any other information relevant to the POTW's relationship to the health and environment of the Frisco community. This practice shall continue past the termination date of the TWC Enforcement Order (May 27, 1989) until such time as the EPA determines further submittals are unnecessary.

B. That the Permittee monitor the Stewart Creek STP influent and effluent for Antimony, Arsenic, Cadmium, Copper, Lead, and Nickel. The data shall be summarized monthly and reported on DMR Forms (EPA Form 3320-1) quarterly (i.e., 3 forms submitted each quarter) with the abstract required in Part A. of this Order.

IV.

Issuance of this Order does not preclude the pursuit of additional enforcement action for the violations cited herein, including additional administrative compliance orders, administrative penalty orders, and/or civil or criminal actions.

ORDER

Based on the foregoing FINDINGS OF FACT and pursuant to the authority vested in the Administrator under Section 308(a)(4)(A) of the Act, 33 U.S.C. § 1319 (a)(4)(A), and duly delegated to the Regional Administrator, Region 6, and duly redelegated to the undersigned Director, Water Management Division, Region 6, it is ordered:

A. That the Permittee submit to the EPA a one (1) page abstract of the progress report submitted to the TWC every quarter. This abstract shall include a report of IU compliance or interference problems, sludge disposal practices, construction progress and any other information relevant to the POTW's relationship to the health and environment of the Frisco community. This practice shall continue past the termination date of the TWC Enforcement Order (May 27, 1989) until such time as the EPA determines further submittals are unnecessary.

B. That the Permittee monitor the Stewart Creek STP influent and effluent for Antimony, Arsenic, Cadmium, Copper, Lead, and Nickel. The data shall be summarized monthly and reported on DMR Forms (EPA Form 3320-1) quarterly (i.e., 3 forms submitted each quarter) with the abstract required in Part A. of this Order.



NORTH TEXAS MUNICIPAL WATER DISTRICT

P. O. DRAWER C
WYLIE, TEXAS 75098
PHONE NO. 442-5405

REGIONAL SERVICE THROUGH UNITY

December 28, 1990

Ms. Sharron Parrish
Enforcement Branch (6W-ET)
U. S. E.P.A.
Allied Bank Tower at Fountain Place
1445 Ross Avenue
Dallas, Texas 75202-2733
P 11-215

RE: Frisco Stewart Creek Wastewater Plant
Order for Information No. VI-88-1756
NPDES Permit No. TX0027715

Dear Ms. Parrish:

The Order for Information No. VI-88-1756 requested that monthly Frisco Stewart Creek Wastewater Plant influent and effluent data for antimony, arsenic, cadmium, copper, lead, and nickel be submitted on a quarterly basis and further that an abstract of the progress report submitted to TWC be sent on a quarterly basis.

The TWC enforcement order ended on May 27, 1989. The NPDES Permit has now been issued and was effective on November 5, 1990. Lead is the only regulated metal. It would therefore seem that the Order for Information no longer serves a useful purpose and the required analyses are a significant expense for the city.

It is therefore requested that the Order for Information be cancelled. If you need any further information, please contact Dolan McKnight, Manager of Research and Development, or my office.

Sincerely,

CARL W. RIEHN
Executive Director

CWR:DMc:ra

called on 3/21/91

closed 2/29/91

REC'D
6W-EA
DEC 28 1990



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VI

ALLIED BANK TOWER AT FOUNTAIN PLACE

1445 ROSS AVENUE

DALLAS, TEXAS 75202

Sharon

2/29/91

REPLY TO: 6W-ET or 6W-E0

MEMORANDUM

SUBJECT: Administrative Order Close Out

FROM: ~~Mark W. Potts~~
~~Chief~~
~~Compliance Section, OK/LA/AR (6W-E0)~~

[Signature]

James L. Graham, Jr., P.E.
Chief
Compliance Section, TX/NM (6W-ET)

TO: Ruth Gibson
Chief
Administrative Section (6W-EA)

For purposes of Compliance and Tracking, please close the following:

Administrative Order Docket No. VI-88-1756

Issued to City of Frisco

NPDES Permit No. TX 27715

If you have any questions, please contact Crawford

Thank you.

cc: Potts (6W-E0)
Graham (6W-ET)
Collins (6C-W)
Bahor (EN-388)

- ☒ 1 - Permit/CD
- ☒ 2 - AO & AO matl
- ☒ 3 - DMR's
- ☒ 4 - Via. Sum. Log
- ☒ 5 - NCR
- ☒ 6 - Correspondence
- ☒ 7 - CRAS
- ☒ Date Filed
- ☒ Clerk's Inits.

TEXAS WATER COMMISSION

- 1 - Permit/CD
- 2 - AO & AO matl
- 3 - DMR's
- 4 - Vio. Sum. Log
- 5 - NCR
- 6 - Correspondence
- 7 - CRAS
- Date Filed
- Glerk's Inits



MAR - 7 1991

IN THE MATTER OF
THE EXECUTIVE DIRECTOR'S
PRELIMINARY ENFORCEMENT
REPORT CONCERNING THE
CITY OF FRISCO, PERMIT NOS.
10172-01 AND 10172-02

§
§
§
§
§
§

BEFORE THE
TEXAS WATER COMMISSION

AGREED ENFORCEMENT ORDER

On the 13th day of February, 1991, the Texas Water Commission ("Commission") considered the "Notice of Executive Director's Preliminary Enforcement Report and Petition for an Order Assessing Administrative Penalties and Requiring Certain Actions of the City of Frisco." Having heard the evidence and argument of the parties, the Commission hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The City of Frisco ("Frisco") is a municipality which owns two wastewater treatment plants. The Stewart Creek Plant is located approximately 2,500 feet south of Farm to Market 720, and immediately west of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Stewart Creek; thence to Lake Lewisville in Stream Segment No. 0823 of the Trinity River Basin.

The Cottonwood Creek Plant is located approximately 2,500 feet north of Farm to Market Road 720, and immediately east of the St. Louis - San Francisco Railroad in Collin County, Texas. This treatment plant is authorized to dispose of waste to Cottonwood Creek; thence to Lake Lewisville in Stream Segment No. 0823 of the Trinity River Basin.

According to the April, 1988 Texas Surface Water Quality Standards, the designated uses of Stream Segment No. 0823 are contact recreation, high quality aquatic habitat and public water supply.

RECEIVED

FEB 27 1991

6W-PS

2. On April 16, 1990, the City of Frisco reported unauthorized discharges of raw sewage (approximately 200,000 gallons at each plant) from the influent structures at the Cottonwood Creek and Stewart Creek Wastewater Treatment Plants. On April 22, 1990, the City of Frisco reported an unauthorized discharge of raw sewage (approximately 240,000 gallons) from the influent structure at the Stewart Creek Wastewater Treatment Plant.
3. The Stewart Creek wastewater treatment plant accepts influent wastestreams from four major industries which include GNB, Inc., P.C. Dynamics, Hudson Industries and Circuit Fab Corporation. During a March 14 and 15, 1989 TWC inspection of the facility's sludge drying beds, samples of the dewatered sludge generated by the wastewater treatment plant were collected and analyzed for their heavy metal concentrations. The sample results indicated that three of the four sludge drying beds were managing sludges with E.P. toxic cadmium concentrations in excess of 1.0 mg/l. Two additional sampling events conducted on June 26, 1989 and December 11, 1989 also revealed elevated levels of lead and cadmium in the sludges being managed by these units.
4. In the Executive Director's Preliminary Enforcement Report, incorporated herein by reference in the Executive Director's Petition as Exhibit C, a potentially assessable penalty of \$11,040 is recommended based on an analysis of factors set forth in Section 26.136(c)(1-4) of the Texas Water Code ("Code").
5. The Executive Director has issued a Preliminary Enforcement Report concerning these violations by Frisco. Concurrently with the Notice, issuing and filing of his Preliminary Enforcement Report, the Executive Director has given notice of the Petition, proposed Order and Report to Frisco, including a brief summary of the alleged violations, the amount of penalty recommended, and that Frisco has the right to request an evidentiary hearing in regard to the occurrence of the violations, the amount of the penalty, or both, as well as the terms of the proposed Order, and that such request must be in writing and must be filed with the Commission not later than the twentieth (20th) day after the date the notice is received by Frisco. In the alternative, Frisco has been advised that it may file written consent to the Executive Director's Report and recommended penalties, Petition and proposed Order.

CONCLUSIONS OF LAW

1. Section 26.121 of the Texas Water Code prohibits the discharge of waste into or adjacent to the waters in the State, except as authorized by rule, permit or order issued by the Commission.
2. The events as found in Finding of Fact No. 2, constitute violations of §26.121 of the Code and Permit Nos. 10172-01 and 10172-02.
3. The events as found in Finding of Fact No. 3 demonstrate that the City of Frisco has managed characteristically hazardous waste, as defined in 40 Code of Federal Regulations ("CFR") Part 261 and, incorporated by reference in 31 TAC §335.1, in at least three of the sludge drying beds at the facility.
4. The City of Frisco does not have a permit or other authorization from the Commission to store hazardous wastes on-site in tanks or containers for more than ninety (90) days or to dispose hazardous waste in waste piles at the Stewart Creek wastewater treatment plant.
5. Sections 26.136(a) and (b) of the Texas Water Code allow the Commission to assess civil penalties of up to \$10,000 per day for violations of Chapter 26 of the Code or Commission permits, rules or orders. In determining the amount of the penalty, §26.136(c)(1)-(4) requires the Commission to consider the level of extent and gravity of the violation, the level of impact or hazard of the violation, the history of noncompliance, degree of culpability, good faith efforts to comply or remedy, economic benefit of noncompliance, future deterrence, and any other matters that justice may require.
6. An administrative penalty in the amount of \$11,040 is justified by the violations found herein, considered in light of the factors specified in Section 26.136(c) of the Code and analyzed in the Executive Director's Preliminary Enforcement Report.
7. Section 26.019 of the Code authorizes the Commission to issue orders and make determinations necessary to effectuate the purposes of Chapter 26 of the Code and Permit Nos. 10172-01 and 10172-02.
8. In accordance with §26.136(n) of the Code which allows the Commission to compromise, modify or remit, with or without condition, any penalty imposed, payment of \$2,040 of the assessed \$11,040 administrative penalty should be deferred and

waived upon satisfactory compliance with Order Provision No. 6.

9. Section 361.302 of the Texas Solid Waste Disposal Act ("the Act"), TEX. HEALTH & SAFETY CODE ANN. Chapter 361 (Vernon Supp. 1990) authorizes the Commission to issue enforcement orders directing compliance with the Act and Commission rules.
10. Frisco should be ordered to undertake such actions as are necessary to effectuate compliance with the provisions of Chapter 26 of the Code, the Act, and Permit Nos. 10172-01 and 10172-02.

NOW THEREFORE, BE IT ORDERED BY THE COMMISSION that, based upon the above-noted Findings of Fact and Conclusions of Law, Frisco shall undertake certain actions as follows:

1. Frisco shall pay administrative penalties for past violations in an amount of \$9,000 with \$2,040 of the assessed penalty deferred and waived upon satisfactory compliance with Order Provision No. 6. Said penalties shall be paid in three monthly installments of \$3,000 each to the General Revenue Fund of the State of Texas, and shall be mailed to the Chief Fiscal Officer, Texas Water Commission, "Re: City of Frisco Enforcement Order," P. O. Box 13087, Capitol Station, Austin, Texas 78711-3087. The first payment shall be received on or before the thirtieth (30th) day following the date on which this Order is signed, and the following payments shall be received each thirty days thereafter. Payment of this administrative penalty, as well as payment of any deferred or stipulated penalty are for violations noted herein. Any violation not specifically addressed in the Preliminary Report, Petition or Order is subject to additional penalties.
2. Effective immediately from the date this Order is issued, the City shall pay stipulated penalties according to the following schedule for occurrences of unauthorized discharges or bypasses of partially treated and/or raw sewage:
 - (a) from the date of the issuance of this Order through December 1991: \$500 per day; and
 - (b) from January 1992 through the termination of this Order: \$1000 per day

The above schedule applies to any single or multiple event unauthorized discharge or bypass (during a 24-hour period) from the City's wastewater collection system, Stewart Creek Treatment Plant, and/or the Cottonwood Creek Treatment Plant.

The maximum amount of stipulated penalties for unauthorized discharges or bypasses shall not exceed \$3,000 for any one calendar month.

3. Effective immediately, and continuing for a period of one year, sewage sludge from the Stewart Creek Treatment Plant shall be analyzed once per month for the metal parameters in accordance with the method specified at 40 Code of Federal Regulations ("CFR") Part 268, Appendix I [Toxicity Characteristic Leaching Procedure (TCLP)] or other TWC approved method. If the analysis shows the sludge to be nonhazardous, then the sludge shall be disposed of in accordance with all applicable rules of the Texas Department of Health and shall comply with the requirements of Permit No. 10172-01. If the analysis shows the sludge to be a hazardous waste, then the sludge shall be disposed of as a Class I hazardous waste. Frisco shall dispose of all Class I hazardous waste at a certified hazardous waste disposal facility within 30 days of receipt of the analyses. All disposal activities shall comply with the applicable shipping and manifesting requirements pursuant to 31 TAC §335.10. Frisco shall notify the TWC District 4 Office within 5 days from the time Frisco becomes aware of any test results that are determined to be hazardous. Frisco shall submit proof of proper disposal of all Class I hazardous wastes to the TWC District 4 Office within 30 days of final disposal.

The City of Frisco shall not manage sludges evidencing the characteristics of a hazardous waste on-site in waste piles unless or until it has obtained a permit from the TWC authorizing such activities. If hazardous sludges are generated at the Stewart Creek wastewater treatment plant in the future, they shall be managed in accordance with the regulatory requirements set forth in 31 TAC Chapter 335 Subchapters A through C and shall be disposed of at a certified hazardous waste disposal facility within ninety (90) days of generation and the City of Frisco shall submit proof of proper disposal of all hazardous wastes generated in the future to the TWC District 4 office within thirty (30) days of the date of final disposition.

4. On December 31, 1990, Frisco submitted a revised Closure Plan to the TWC Hazardous and Solid Waste Enforcement Section which provides for the closure of the sludge drying beds at the Stewart Creek Wastewater Treatment Plant as hazardous waste management units, if required. This revised Closure Plan is required to meet the requirements set forth in 31 TAC §335.8 and 40 CFR Part 265 Subparts G and K and is required to contain a schedule for implementation of closure activities

not to exceed 180 days from the date of receipt of approval and/or modification of such plan from the Executive Director. The permittee shall implement the revised Closure Plan in accordance with the schedules set forth therein, as approved and/or modified by the Executive Director, upon receipt of its written approval.

5. The permittee shall aggressively enforce its industrial waste ordinance to prevent/eliminate recurring permit non-compliances. The permittee shall submit quarterly summary reports which describe monitoring activities performed and enforcement action taken for violations of the ordinance. The first report shall be accompanied by a list of major industries served and sources of waste discharged by each. The reports are due 25 days following the end of each calendar quarter.
6. By no later than December 23, 1991, the permittee shall have completed construction of, and placed in service the proposed Stewart Creek West Wastewater Treatment Plant and pipeline/interceptor. The permittee shall have secured the approval of the plans and specifications for the proposed plant from the TWC Plans and Specifications Review Section, and shall have received a permit (or other TWC approval) prior to commencement of construction. The permittee shall pay stipulated penalties in the amount of \$50 for each day following the permittee's failure to comply with the construction deadline specified herein.
7. The permittee shall develop and implement a water conservation/retrofit program designed to reduce rates of wastewater flow to the permittee's plant. Accordingly:
 - (a) the permittee shall submit to the Executive Director for review, possible modification, and approval, a water conservation/retrofit program within one hundred-eighty (180) days from the date this Order is issued; and
 - (b) the permittee shall implement such water conservation/retrofit program within ninety (90) days from the date of the Executive Director's approval of the program.
8. Within 60 days of issuance of this Order, the permittee shall cause to be published in a newspaper of general circulation in the city, notification to the effect that the Commission has imposed an administrative penalty on the permittee for alleged water pollution due to alleged maintenance deficiencies of the City's sewage collection system, that the permittee admits no

not to exceed 180 days from the date of receipt of approval and/or modification of such plan from the Executive Director. The permittee shall implement the revised Closure Plan in accordance with the schedules set forth therein, as approved and/or modified by the Executive Director, upon receipt of its written approval.

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The City and the Executive Director shall attempt to resolve any disputed issues on an informal basis. Should informal consultations fail to resolve the dispute, either party is entitled to a hearing before the Commission, after notice to the other party and to the Public Interest Counsel. Stipulated penalties shall be paid to "The General Revenue Fund of the State of Texas," and payment shall be mailed to the Chief Fiscal Officer, Texas Water Commission, "Re: City of Frisco Enforcement Order," P.O. Box 13087, Capitol Station, Austin, Texas 78711-3087, within 30 days from the date on which the monthly report is submitted.

11. Failure to comply with any obligation or deadline imposed by this Order shall not constitute a violation of this Order to the extent failure to comply was caused by an event beyond Frisco's control. Frisco shall notify the Executive Director in writing within five (5) days of an event which may cause noncompliance with this Order. The Executive Director shall respond in writing within 30 days from receipt of the notification with his decision that the event was or was not beyond Frisco's control. The burden of proving that an event was beyond Frisco's control shall remain with Frisco.
12. This Order resolves all matters brought up in the Executive Director's Report, however nothing in this Order shall preclude the Executive Director from pursuing additional penalties, and nothing in this Order shall preclude the Commission from issuing additional Orders assessing administrative penalties and requiring certain actions of the City of Frisco pursuant to 31 TAC Chapter 335.
13. Upon written notification from the Executive Director, this Order shall terminate not sooner than two years from the date of issuance provided all the terms and conditions set forth in the Order have been completed to the satisfaction of the Executive Director.

14. The Chief Clerk shall forward copies of this Order to all parties.

ISSUED: FEB 15 1991

TEXAS WATER COMMISSION

B. J. Wynne III
B. J. Wynne III, Chairman

ATTEST:

Gloria A. Vasquez
Gloria A. Vasquez, Chief Clerk



6891 Main St. • P.O. Drawer 1100 • Frisco, Texas 75034 • 214/377-2161

October 28, 1991

Ms. Bernadine Gordon
Enforcement Branch (6W-E)
U.S.E.P.A., Region 6
1445 Ross Avenue
Dallas, Texas 75201-2735

- 1 - Permit/CD
- 2 - AO & AO matl
- 3 - DWR's
- 4 - Vio. Sum. Log
- 5 - NCR
- 6 - Correspondence
- 7 - CRAS
- Date Filed
- Clerk's Inits.

Re: Frisco Stewart Creek Wastewater Plant
NPDES Permit No. TX0027715

Dear Ms. Gordon:

In conformance with Part II, SA.2.d. of the Frisco Stewart Creek Plant's NPDES permit, the following Toxicity Characteristic Leaching Procedure (TCLP) tests on the plant's sludge are submitted. To date all sludge from the plant has ben dewatered in four drying beds. The test is performed on an areal composite sample of dried sludge taken from four areas of each windrow in the bed. If the test shows an exceedence of a TCLP limit, it is disposed of in a hazardous waste landfill. All sludge generated from the plant has been tested.

The sludge continues to have periodic exceedence of the TCLP cadmium limit, (five of ten beds) although this last occurred on the July 19, 1991 samples. The monitoring of the three industries in Frisco (GNB, Hutson, and PCI) have not shown high cadmium levels in the industrial effluents so that the source of the cadmium is not well documented. If you have questions or need further information, please don't hesitate to contact Mr. Dolan McKnight, Manager of Research and Development with North Texas us.

Sincerely,

George Purefoy
City Manager

xc: Mr. Carl Riehn, NTMWD

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

JAN 10 1991

November 8, 1990

REPORT OF: Solid Waste Evaluation

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098

SAMPLE FACILITY: Stewart Creek W.W.T.P.
Drying Bed #4

SAMPLE I.D.: Dry Sludge

SAMPLING DATE: October 30, 1990
SAMPLE RECEIVED: November 01, 1990
SAMPLING TIME: 02:00PM
SAMPLING METHOD: Composite
SAMPLE COLLECTED BY: Client (Larry Connelly)

SAMPLE NUMBER: 8665

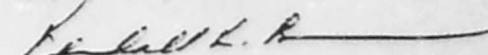
RESULTS:

<u>Parameter</u>	<u>Regulatory Limits</u>	<u>Detection Limits</u>	<u>Observed Concentration</u>
TCLP METALS			
Arsenic mg/l	<5.0	0.002	0.060
Cadmium mg/l	<1.0	0.1	5.0
Lead mg/l	<5.0	:	1.0

Quality Control Information

<u>Parameter</u>	<u>Sample Preservation</u>	<u>EPA Method</u>	<u>C.V.A.</u>	<u>Standard Deviation</u>	<u>Spike Recovery</u>	<u>Date of Analysis</u>	<u>Analyses By</u>
TCLP METALS							
Extractor		1311					
Arsenic	Cool to 4°C	7061	4.7	± 0.00028	100	11/08/90	M. Badyoczek
Cadmium	Cool to 4°C	7130	0.0	± 0.00	99	11/07/90	M. Badyoczek
Lead	Cool to 4°C	7420	0.0	± 0.00	104	11/08/90	M. Badyoczek

Respectfully submitted,



Kendall K. Brown
Manager

May 3, 1991

Ecological Research and Management Incorporated

P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

REPORT OF:

Solid Waste Analysis

REPORT TO:

Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098

SAMPLE LOCATION:

Stewart Creek WWTP
0240

SAMPLE DATE:

March 20, 1991

SAMPLE TIME:

10:00AM

SAMPLE RECEIVED:

March 21, 1991

SAMPLE METHOD:

Grab

SAMPLE IDENTIFICATION:

Dried Sludge*

SAMPLE COLLECTED BY:

Arthur (Client)

SAMPLE NUMBER:

11157

RESULTS:

<u>Parameter</u>	<u>Regulatory Limits</u>	<u>Detection Limits</u>	<u>Observed Concentration</u>
TCLP METALS			
Arsenic mg/l	<5.0	0.04	<0.04(1)
Barium mg/l	<100.0	1.0	<1.0
Cadmium mg/l	<1.0	0.1	4.8
Chromium mg/l	<5.0	0.5	<0.5
Lead mg/l	<5.0	1.0	<1.0
Mercury mg/l	<0.2	0.004	<0.004
Selenium mg/l	<1.0	0.04	0.10
Silver mg/l	<5.0	0.1	<0.1
TCLP VOLATILE ORGANICS			
Benzene mg/l	<0.5	0.003	<0.003
Carbon tetrachloride mg/l	<0.5	0.003	<0.003
Chlorobenzene mg/l	<100.0	0.003	<0.003
Chloroform mg/l	<6.0	0.003	<0.003
1,4-Dichlorobenzene mg/l	<7.5	0.010	<0.010
1,2-Dichloroethane mg/l	<0.5	0.003	<0.003
1,1-Dichloroethylene mg/l	<0.1	0.003	<0.003
Methylene chloride mg/l	<200.0	0.010	<0.010
Pyridine mg/l	<5.0	0.003	<0.003
Tetrachloroethylene mg/l	<0.7	0.003	<0.003
Trichloroethylene mg/l	<0.5	0.003	<0.003
Vinyl chloride mg/l	<0.2	0.010	<0.010

Ms. Laura Skaggs

Page 2

May 3, 1991

SAMPLE NUMBER: 11157

<u>Parameter</u>	<u>Regulatory Limits</u>	<u>Detection Limits</u>	<u>Observed Concentration</u>
TCLP SEMIVOLATILE ORGANICS			
O-Cresol, mg/l	<200.0	0.010	<0.010
M-Cresol, mg/l	<200.0	0.010	<0.010
P-Cresol, mg/l	<200.0	0.010	<0.010
Cresol, mg/l	<200.0	0.010	<0.010
2,4-Dinitrotoluene, mg/l	<0.13	0.010	<0.010
Hexachlorobenzene, mg/l	<0.13	0.010	<0.010
Hexachlorobutadiene, mg/l	<0.5	0.010	<0.010
Hexachloroethane, mg/l	<3.0	0.010	<0.010
Nitrobenzene, mg/l	<2.0	0.010	<0.010
Pentachlorophenol, mg/l	<100.0	0.010	<0.010
2,4,5-Trichlorophenol, mg/l	<400.0	0.010	<0.010
2,4,6-Trichlorophenol, mg/l	<2.0	0.010	<0.010

TCLP PESTICIDES & HERBICIDES

Chlordane, mg/l	<0.03	0.0005	<0.0005
Endrin, mg/l	<0.02	0.0001	<0.0001
Heptachlor, mg/l	<0.008	0.0005	<0.0005
Heptachlor epoxide, mg/l	<0.008	0.0005	<0.0005
Lindane, mg/l	<0.4	0.0005	<0.0005
Methoxychlor, mg/l	<10.0	0.010	<0.010
Toxaphene, mg/l	<0.5	0.001	<0.001
2,4-D, mg/l	<10.0	0.010	<0.010
2,4,5-T, mg/l	<1.0	0.010	<0.010

Quality Control Information

<u>Parameter</u>	<u>Sample #</u>	<u>SP-1</u>	<u>Standard</u>	<u>SP-16</u>	<u>Date of</u>	<u>Analyses</u>
	<u>Preservation</u>	<u>Method</u>	<u>Value</u>	<u>Deviation</u>	<u>Frequency</u>	<u>Analyses</u>
TCLP METALS						
Extraction						
Antimony	100 to 400	100	0.0	0.00	104	03/30/91 R. Brown
Barium	100 to 400	1080	0.0	0.00	108	04/02/91 R. Weir
Cadmium	100 to 400	113	0.0	0.00	98	04/02/91 R. Weir
Chromium	100 to 400	1190	0.0	0.00	108	04/02/91 R. Weir
Copper	100 to 400	1420	0.0	0.00	101	04/02/91 R. Weir
Manganese	100 to 400	1470	0.0	0.00	97	04/04/91 J. Smith
Selenium	100 to 400	1740	15.9	0.018	103	04/02/91 R. Brown
Zinc	100 to 400	1760	0.0	0.00	99	04/02/91 R. Weir

Ms. Laura Skaggs
Page 2
May 3, 1991

SAMPLE NUMBER: 11157

Parameter	Regulatory Limits	Detection Limits	Observed Concentration
TCLP SEMIVOLATILE ORGANICS			
O-Cresol, mg/l	<200.0	0.010	<0.010
M-Cresol, mg/l	<200.0	0.010	<0.010
P-Cresol, mg/l	<200.0	0.010	<0.010
Cresol, mg/l	<200.0	0.010	<0.010
2,4-Dinitrotoluene, mg/l	<0.13	0.010	<0.010
Hexachlorobenzene, mg/l	<0.13	0.010	<0.010
Hexachlorobutadiene, mg/l	<0.5	0.010	<0.010
Hexachloroethane, mg/l	<3.0	0.010	<0.010
Nitrobenzene, mg/l	<2.0	0.010	<0.010
Pentachlorophenol, mg/l	<100.0	0.010	<0.010
2,4,5-Trichlorophenol, mg/l	<400.0	0.010	<0.010
2,4,6-Trichlorophenol, mg/l	<2.0	0.010	<0.010

TCLP PESTICIDES & HERBICIDES

Chlordane, mg/l	<0.03	0.0005	<0.0005
Endrin, mg/l	<0.02	0.0001	<0.0001
Heptachlor, mg/l	<0.008	0.0005	<0.0005
Heptachlor epoxide, mg/l	<0.008	0.0005	<0.0005
Lindane, mg/l	<0.4	0.0005	<0.0005
Methoxychlor, mg/l	<10.0	0.010	<0.010
Toxaphene, mg/l	<0.5	0.001	<0.001
2,4-D, mg/l	<1.0	0.010	<0.010
2,4,5-TP (Solve), mg/l	<1.0	0.010	<0.010

Quality Control Information

Parameter	Sample #	SP. #	Standard	SP. #	Date of	Anal. used
	Preparation	Method	Value	Deviation	Analysis	By
TCLP METALS						
Extraction			100%			
Antimony	Doc to 490	706	0.0	0.00	104	03/30/91 R. Brown
Barium	Doc to 490	708	0.0	0.00	105	04/02/91 R. Weiler
Cadmium	Doc to 490	713	0.0	0.00	95	04/02/91 R. Weiler
Chromium	Doc to 490	719	0.0	0.00	106	04/02/91 R. Weiler
Copper	Doc to 490	742	0.0	0.00	101	04/02/91 R. Weiler
Mercury	Doc to 490	747	0.0	0.00	97	04/04/91 J. Smith
Selenium	Doc to 490	774	15.9	0.016	103	04/02/91 R. Brown
Silver	Doc to 490	776	0.0	0.00	95	04/02/91 R. Weiler

Ecological Research and Management Incorporated

P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

April 3, 1991

APR 4 1991

REPORT OF: Industrial Waste Analysis

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098

SAMPLE FACILITY: Stewart Creek WWTP-Final Effluent
Bed #1 - 025D

SAMPLING DATE: March 22, 1991
SAMPLING TIME: 10:20AM
SAMPLE RECEIVED: March 22, 1991
SAMPLING METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)

SAMPLE NUMBER: 11180

RESULTS:

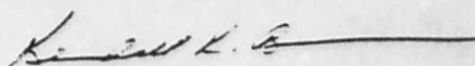
Waste Name	TCLP Arsenic (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)
Dried Sludge *	0.04	2.6	<0.5	<1.0
Detection Limit	0.04	0.1	0.5	1.0

* Sample composited immediately prior to analysis.

Quality Control Information

Parameter	Sample #	EPA Method	Value	Standard Deviation	Spike Recovery	Date of Analysis	Analyst
TOTAL METALS							
EXTRACT OF			1311				
ARSENIC	100 to 400	7061	0.0	± 0.00	104	03/30/91	K. Brown
CADMIUM	100 to 400	7130	0.0	± 0.00	95	04/02/91	K. Welch
CHROMIUM	100 to 400	7190	0.0	± 0.00	105	04/02/91	K. Welch
LEAD	100 to 400	7420	0.0	± 0.00	101	04/02/91	K. Welch

Respectfully submitted,

Kendall K. Brown
Manager

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

May 6, 1991

REPORT OF: Industrial Waste Analysis

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer 2408
Wylie, Texas 75098

SAMPLE FACILITY: Stewart Creek WWTP

SAMPLING DATE: April 23, 1991
SAMPLING TIME: 01:30PM
SAMPLE RECEIVED: April 23, 1991
SAMPLING METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)

SAMPLE NUMBER: 11989

RESULTS:

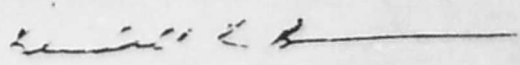
Waste Name	TCLP Arsenic (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)
Dried Sludge *	0.08	0.33	<0.5	<1.0
Detection Limit	0.04	0.1	0.5	1.0

* Sample composited immediately prior to analysis.

Quality Control Information

Parameter	Sample Preservation	EPA Method	Blank	Standard Deviation	Spike Recovery%	Date of Analysis	Analyses By
TCLP METALS							
Extraction		1311					
Arsenic	Cool to 4°C	7061	0.0	± 0.00	90	05/02/91	K. Ponder
Cadmium	Cool to 4°C	7130	0.0	± 0.00	101	05/02/91	R. Welch
Chromium	Cool to 4°C	7190	0.0	± 0.00	95	05/01/91	K. Ponder
Lead	Cool to 4°C	7420	0.0	± 0.00	92	05/02/91	R. Welch

Respectfully submitted,


Kendra L. [unclear]
Manager

Ecological Research and Management Incorporated

P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

May 6, 1991

REPORT OF: Industrial Waste Analysis

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer 2408
Wylie, Texas 75098

SAMPLE FACILITY: Stewart Creek WWT

SAMPLING DATE: April 23, 1991
SAMPLING TIME: 01:30PM
SAMPLE RECEIVED: April 23, 1991
SAMPLING METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)

SAMPLE NUMBER: 11989

RESULTS:


Waste Name	TCLP Arsenic (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)
Dried Sludge *	0.08	0.33	<0.5	<1.0
Detection Limit	0.04	0.1	0.5	1.0

* Sample composited immediately prior to analysis

Quality Control Information

Parameter	Sample Preservation	EPA Method	Spiked	Standard Deviation	Spike Recovery	Date of Analysis	Analyses By
TCLP METALS							
Extractor		15.1					
Arsenic	100 to 400	7061	0.0	± 0.00	90	05/02/91	K. Ponder
Cadmium	100 to 400	7030	0.0	± 0.00	101	05/02/91	R. Welch
Chromium	100 to 400	7190	0.0	± 0.00	95	05/01/91	K. Ponder
Lead	100 to 400	7420	0.0	± 0.00	92	05/02/91	R. Welch

Respectfully submitted,


Kendra L. Smith
Manager

KKE:Y

200 W. Beamon • Suite A • FAX (214) 727-1175

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

July 8, 1991
REVISED REPORT

JUL 11 1991

REPORT OF: Sludge Analysis
REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098
SAMPLE LOCATION: Stewart Creek WWTP
Drying Bed #4
SAMPLE DATE: June 19, 1991
SAMPLE TIME: 10:00AM
SAMPLE RECEIVED: June 20, 1991
SAMPLE METHOD: Grab
SAMPLE COLLECTED BY: Larry Connolly (Client)
SAMPLE NUMBER: 12993

RESULTS:

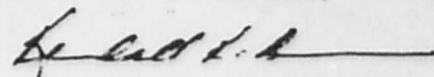
Parameter	Regulatory Limits	Detection Limits	Observed Concentration
TCLP METALS			
Cadmium, mg/l	<1.0	0.1	0.57
Chromium, mg/l	<5.0	0.5	<0.5
Lead, mg/l	<5.0	1.0	<1.0

Quality Control Information

Parameter	Sample Preservation	EPA Method	CV, %	Standard Deviation	Spike Recovery, %	Date of Analysis	Analyst
TCLP METALS							
Cadmium	Cool to 4°C	7031	1.0	± 0.00	98	06-25-91	F. Weller
Chromium	Cool to 4°C	7091	0.0	± 0.00	57	06-25-91	K. Ponder
Lead	Cool to 4°C	7420	0.0	± 0.00	109	06-26-91	K. Ponder

(1) EPA, 1986. Test Methods for Evaluating Solid Waste. SW-846 3rd Edition

Respectfully submitted,



Kendall K. Brown
Manager

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

August 1, 1991

REPORT OF: Dried Sludge Analysis

REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098

SAMPLE LOCATION: Stewart Creek WWTP
SAMPLE I.D.: See Below

SAMPLE DATE: July 19, 1991
SAMPLE TIME: 08:00AM
SAMPLE RECEIVED: July 19, 1991
SAMPLE METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)

SAMPLE NUMBER: See Below

AUG 02 1991

RESULTS:

Sample Number	Sample I.D.	TCLP Arsenic (mg/l)	TCLP Barium (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)	TCLP Mercury (mg/l)	TCLP Selenium (mg/l)	TCLP Silver (mg/l)
13711	Drying Bed #1	0.06	2.6	5.1	<0.5	<1.0	0.006	0.20	<0.1
13712	Drying Bed #2	0.06	1.7	6.2	<0.5	<1.0	<0.004	0.17	<0.1
13713	Drying Bed #3	<0.04	2.6	0.88	<0.5	<1.0	0.015	0.23	0.24
Detection Limits		0.04	1.0	0.1	0.5	1.0	0.004	0.04	0.1

Quality Control Information

Parameter	Sample Preservation	EPA Method	Blank	Standard Deviation	Spike Recovery	Date of Analysis	Analyst
Sample Number: 13711 & 13713							
TCLP METALS							
Extraction:							
Arsenic	Cool to 4°C	7061	3.6	± 0.002	108	07/22/91	K. Ponder
Barium	Cool to 4°C	7080	0.0	± 0.00	95	07/25/91	K. Ponder
Cadmium	Cool to 4°C	7130	0.0	± 0.00	91	07/25/91	R. Weir
Chromium	Cool to 4°C	7190	0.0	± 0.00	94	07/25/91	K. Ponder
Lead	Cool to 4°C	7420	0.0	± 0.00	104	07/25/91	R. Weir
Mercury	Cool to 4°C	7471	0.0	± 0.00	95	07/26/91	J. Smith
Selenium	Cool to 4°C	7741	3.6	± 0.007	101	07/22/91	K. Ponder
Silver	Cool to 4°C	7760	0.0	± 0.00	90	07/24/91	K. Ponder

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

August 1, 1991

REC-12-91

AUG 02 1991

REPORT OF: Dried Sludge Analysis
REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098
SAMPLE LOCATION: Stewart Creek WWTP
SAMPLE I.D.: See Below
SAMPLE DATE: July 19, 1991
SAMPLE TIME: 08:00AM
SAMPLE RECEIVED: July 19, 1991
SAMPLE METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)
SAMPLE NUMBER: See Below

RESULTS:

Sample Number	Sample I.D.	TCLP Arsenic (mg/l)	TCLP Barium (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)	TCLP Mercury (mg/l)	TCLP Selenium (mg/l)	TCLP Silver (mg/l)
13711	Drying Bed #1	0.06	2.6	5.1	<0.5	<1.0	0.006	0.20	<0.1
13712	Drying Bed #2	0.06	1.7	6.2	<0.5	<1.0	<0.004	0.17	<0.1
13713	Drying Bed #3	<0.04	2.6	0.85	<0.5	<1.0	0.015	0.23	0.24
Detection Limits		0.04	1.0	0.1	0.5	1.0	0.004	0.04	0.1

Quality Control Information

Parameter	Sample Preservation	EPA Method	Std. Dev.	Standard Deviation	Spike Recovery	Date of Analysis	Analyst
Sample Number	13711 & 13713						
TCLP METALS							
Extraction		1311					
Arsenic	Cool to 4°C	7061	3.6	± 0.002	105	07/22/91	K. Ponder
Barium	Cool to 4°C	7080	0.0	± 0.00	95	07/25/91	K. Ponder
Cadmium	Cool to 4°C	7130	0.0	± 0.00	91	07/25/91	R. Weir
Chromium	Cool to 4°C	7190	0.0	± 0.00	94	07/25/91	K. Ponder
Lead	Cool to 4°C	7420	0.0	± 0.00	106	07/25/91	R. Weir
Mercury	Cool to 4°C	7471	0.0	± 0.00	95	07/26/91	J. Smith
Selenium	Cool to 4°C	7741	3.6	± 0.007	101	07/22/91	K. Ponder
Silver	Cool to 4°C	7760	0.0	± 0.00	90	07/24/91	K. Ponder

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

OCT 9 1991

October 7, 1991

REPORT OF: Dried Sludge Analysis
REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098
SAMPLE LOCATION: Stewart Creek WWTP
SAMPLE DATE: September 25, 1991
SAMPLE TIME: 02:00PM
SAMPLE RECEIVED: September 25, 1991
SAMPLE METHOD: Grav
SAMPLE COLLECTED BY: Arthur Kramer (Client)
SAMPLE NUMBER: See Below

RESULTS:

Sample Number	Sample I.D.	TCLF Arsenic (mg/l)	TCLF Barium (mg/l)	TCLF Cadmium (mg/l)	TCLF Chromium (mg/l)	TCLF Lead (mg/l)	TCLF Mercury (mg/l)	TCLF Selenium (mg/l)	TCLF Silver (mg/l)
15347	Drying Bed #2	<0.04	5.0	<0.1	<0.5	<1.0	<0.004	0.10	<0.1
Detection Limits		0.04	1.0	0.1	0.5	1.0	0.004	0.04	0.1

Quality Control Information

Parameter	Sample Preservation	EPA Method	Standard Deviation	Spike Recovery	Date of Analysis	Analyst
TCLP METALS						
Extractor		131				
Arsenic	Cool to 4°C	706	0.00	106	10/01/91	K. Ponder
Barium	Cool to 4°C	706	0.00	95	10/01/91	R. Welch
Cadmium	Cool to 4°C	7131	0.00	90	10/04/91	K. Ponder
Chromium	Cool to 4°C	7191	0.00	90	10/07/91	R. Welch
Lead	Cool to 4°C	7421	0.00	94	10/02/91	R. Welch
Mercury	Cool to 4°C	7471	0.00	100	10/02/91	J. Smith
Selenium	Cool to 4°C	7741	0.00	94	10/01/91	K. Ponder
Silver	Cool to 4°C	7761	0.00	91	10/07/91	R. Welch

(1) EPA. 1986. Test Methods for Evaluating Solid Waste. SW-846, 3rd Edition.

Respectfully submitted,

[Signature]

[Signature]

Ecological Research and Management Incorporated
P.O. Box 842 • Allen, Texas 75002 • (214) 727-1123

October 22, 1991

REPORT OF: Dried Sludge Analysis
REPORT TO: Ms. Laura Skaggs
North Texas Municipal Water District
P.O. Drawer C
Wylie, Texas 75098
SAMPLE LOCATION: Stewart Creek WWTP
Bed #4 032D
SAMPLE DATE: October 08, 1991
SAMPLE TIME: 02:30
SAMPLE RECEIVED: October 08, 1991
SAMPLE METHOD: Grab
SAMPLE COLLECTED BY: Arthur Kramer (Client)
SAMPLE NUMBER: See Below

OCT 22 1991

RESULTS:

Sample Number	Sample I.D.	TCLP Arsenic (mg/l)	TCLP Barium (mg/l)	TCLP Cadmium (mg/l)	TCLP Chromium (mg/l)	TCLP Lead (mg/l)	TCLP Mercury (mg/l)	TCLP Selenium (mg/l)	TCLP Silver (mg/l)
15581	Drying Bed #4	<0.04	<1.0	0.2	<0.5	<1.0	<0.004	<0.004	<0.1
Detection Limits		0.04	1.0	0.1	0.5	1.0	0.004	0.04	0.1

Quality Control Information

Parameter	Sample Preservation	EPA (1) Method	C.V.%	Standard Deviation	Spike Recovery%	Date of Analyses	Analyses By
TCLP METALS							
Extraction		1311					
Arsenic	Cool to 4°C	7061	8.6	± 0.0035	96	10/17/91	K. Ponder
Barium	Cool to 4°C	7080	0.0	± 0.00	90	10/14/91	K. Ponder
Cadmium	Cool to 4°C	7130	0.0	± 0.00	100	10/13/91	K. Ponder
Chromium	Cool to 4°C	7190	0.0	± 0.00	92	10/13/91	K. Ponder
Lead	Cool to 4°C	7420	0.0	± 0.00	100	10/11/91	K. Ponder
Mercury	Cool to 4°C	7471	0.0	± 0.00	106	10/18/91	J. Smith
Selenium	Cool to 4°C	7741	0.0	± 0.00	103	10/17/91	K. Ponder
Silver	Cool to 4°C	7760	0.0	± 0.00	90	10/11/91	J. Smith

(1) EPA. 1986. Test Methods for Evaluating Solid Waste. SW-846, 3rd Edition.

Respectfully submitted,

Kendall K. Brown

Kendall K. Brown
Manager

KKB/sf

RYDER TRUCK RENTAL
ARLINGTON TX
TXD078556453
RC NT VOL 01

478A.TX0000888453 0001
P CTON DICKINSON
EL PASO, TX 79906



0000106326 HZ/RC/NT

478A.TX0000888453 0001



ACKNOWLEDGEMENT OF NOTIFICATION
OF REGULATED WASTE ACTIVITY
(VERIFICATION)

This is to acknowledge that you have filed a Notification of Regulated Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER

+

TX0000888453

11/09/94

INSTALLATION ADDRESS

BECTON DICKINSON
27 LEIGH FISHER BLVD
EL PASO , TX 79906
BILL SHAVER

27 LEIGH FISHER BLVD
EL PASO ,TX 79906